

BRIEFING SUMMARY SHEET

DEVELOPMENT ASSESSMENT CASE NUMBER: CD-2023-0001

REQUEST:

Presentation of a Development Assessment Report for the proposed 500 South Congress Planned Unit Development (PUD), located at 500 and 510 South Congress Avenue, 105 West Riverside Drive, and 407 ½ Haywood Avenue, within the Lady Bird Lake and East Bouldin Creek Watersheds in District Area 9.

DEPARTMENT COMMENTS:

The applicant has submitted a development assessment for a 6.0102 acre mixed use project generally located southwest corner of West Riverside Drive and South Congress Avenue (*see Case Map – Exhibit A*). The proposed PUD consists of a mixed-use development of approximately 800 residential units, a 225 key hotel, 200,000 square feet of office, 90,000 square feet of retail use, 30,000 square feet of restaurant use, and a 25,000 square foot grocery store. The majority of the parking for the development will be achieved through a below grade parking structures (*see Development Assessment Application Letter – Exhibit B*).

The property in question is currently developed with a two-story office structure (105 Riverside Drive), a multifamily use (South Congress Square Apartments), a restaurant (Ego's) and five-story office building (510 South Congress Avenue) that are zoned CS-1-NP and CS-1-V-NP. It is designated as "Mixed Use" on the Future Land Use Map (FLUM) in the Bouldin Creek Neighborhood Plan that was adopted on May 23, 2002. This site is adjacent to an office use to the north (Austin Trust Company) and office and commercial uses to the east (Chevron Service Station/Woody's Food Mart, 515 S Congress: Wells Fargo Bank, Freebirds World Burrito, Bennu Coffee, Sweet Tooth Dental, IVitamin Hydration Therapy, Enlightened Baby, DCI Engineers) that are zoned CS-1-V-NP. There is a vacant restaurant use (former Threadgill's) and a thirteen-story office structure to the west (One Texas Center) that are zoned CS-1-V-NP and P-NP respectively. To the south, there is East Bouldin Creek and a civic use (Texas State School for the Deaf) that is unzoned (UNZ).

The property is located within the Lady Bird Lake and East Bouldin Creek Watersheds, which are classified as Urban Watersheds, and is part of the South Central Waterfront District. The proposed PUD is in an area that includes the 100-year floodplain and Critical Water Quality Zone (*see Existing Conditions and Land Use Plan – Exhibit C*). According to the Applicant's Submittal Letter, the proposed PUD will improve pedestrian connectivity across and along the property by providing an elevated boardwalk and trails along East Bouldin Creek to create a connection between South First Avenue and South Congress Avenue as envisioned under the South Central Waterfront Vision Framework Plan (SCWFP). Therefore, the PUD proposes to remove existing impervious cover and improvements from the Critical Water Quality Zone and floodplain and incorporate several environmental/ecological enhancements throughout the

property (*please see the Code Comparison Chart - Exhibit D and the Tier One and Tier Two Superiority Chart – Exhibit E*). The Long Range Planning division in the Planning Department is currently in the process of revising the South Central Waterfront Regulating Plan and the accompanying South Central Waterfront Vision Framework Plan ("Vision Plan") per City Council Resolution No. 20220915-090. According to the staff, the Regulating Plan will now be known as the South Central Waterfront Combining District and Density Bonus Program and has evolved significantly and is based on the Downtown Density Bonus Program. The proposed changes no longer include maximum building heights. Instead, there will be recommendations concerning Floor-to-Area (FAR) limits. At this time, the Planning Department intends to bring these changes before the Planning Commission on April 9, 2024 and before the City Council on May 2, 2024 for 1st reading consideration.

In the PUD Development Assessment submittal letter, the applicant states that they are seeking CS-1, Commercial-Liquor Sales District, as the baseline zoning district for the PUD. The applicant has listed the proposed site development standards and permitted, conditional and prohibited uses for the PUD on the Sheet 4, General Notes, of the Land Use Plan (*please see Land Use Plan -Exhibit C*). Of note, the applicant is requesting a maximum building height of 575 feet and a maximum floor-to-area (FAR) of 6.11:1. The PUD proposes 0-ft setbacks along all property lines. In addition, the PUD proposes to maintain an average 70-ft primary setback parallel to the centerline of East Bouldin Creek and to remove the secondary setback line.

The envisioned PUD proposal will seek twenty-five modifications from the Land Development Code requirements (*see Proposed Code Modifications Table – Exhibit F*). The applicant has demonstrated in the submittal materials that the project will meet all of the applicable Tier One PUD development standards, Tier One Additional Requirements and offer elements of superiority in eleven Tier 2 categories (*Open Space/Parkland; Environmental/ Drainage; Art; Community Amenities; Transportation; Building Design; Affordable Housing; Accessibility; Local Small Business; Project Specific Superiority Items and Project Superiority Alternative Equivalence Items*). Therefore, they have stated that the proposed PUD will result in a superior development to that which could be developed under conventional zoning standards (*please see the Tier One and Tier Two Superiority Chart – Exhibit E*). Examples of proposed superiority include providing for open space that is 10% above the minimum requirements that will result in a minimum of 100 linear feet of trail along East Bouldin Creek, a trail entrance to the development off of South Congress Avenue to bring users into the development through the open space and along the restored creek, a minimum of 5,000 sq. ft. of landscaping at ground level, a minimum of 1,000 linear feet of internal sidewalks, a minimum of 300 linear feet of bike paths and a minimum of 2,000 sq. ft. of recreational courts and play spaces. In addition, the PUD will provide 100% of the required water quality volume onsite with at least 50% of water quality volume to be treated using green water quality controls among those described in the ECM, a reduction in maximum permitted impervious cover by 5%, rainwater harvesting, stormwater runoff from impervious surfaces that will be directed to landscaped areas equal to or greater than the required landscape area (min 20% site area), use of Integrated Pest Management (IPM) controls, incorporation public art, 5,000 square feet of commercial space to be provided for local businesses or non-profits for lease at an affordable rate for a period of 25 years, incorporation of electric charging stations within the parking garage for use by tenants and visitors of the

development, participation in the Carbon Impact Statement pilot project, incorporation of Dark Skies lighting regulations in public areas, creation of a habitat for local bees and other pollinators by using native plants in the development, a 2,000 square foot vertical green wall to reduce the urban heat island effect, improvements through riparian restoration to both the north and south sides of the creek and the utilization of environmental signage and wayfinding. The PUD is also contemplating a 0.54 score using the Draft COA Functional Green Scoring System and the PUD will achieve a minimum of LEED Silver rating for residential buildings and LEED Gold for commercial office buildings. The applicant has stated that the PUD will attempt to be the first project in the United States to pursue a “Sustainable Sites (SITES) Pre-Certification”, targeting a minimum Silver rating.

The staff’s comments on the applicant’s Development Assessment submittal for this proposed PUD project are compiled in the Staff Comment Report for case CD-2023-0001 (*see Staff Comment Report – Exhibit G*). On November 8, 2023, the applicant submitted a letter requesting an informal review of the parcel located at 400 South Congress Avenue as part of the Development Assessment application for this case (*please see Request for Informal Review of 400 South Congress - Exhibit H*). This additional information was sent out to the review staff for comments. The consensus received from all of the reviewers who replied to the request for comments on the new information for a possible addition of this parcel to the formal PUD application was that it did not affect their original comments on the development assessment application for this property.

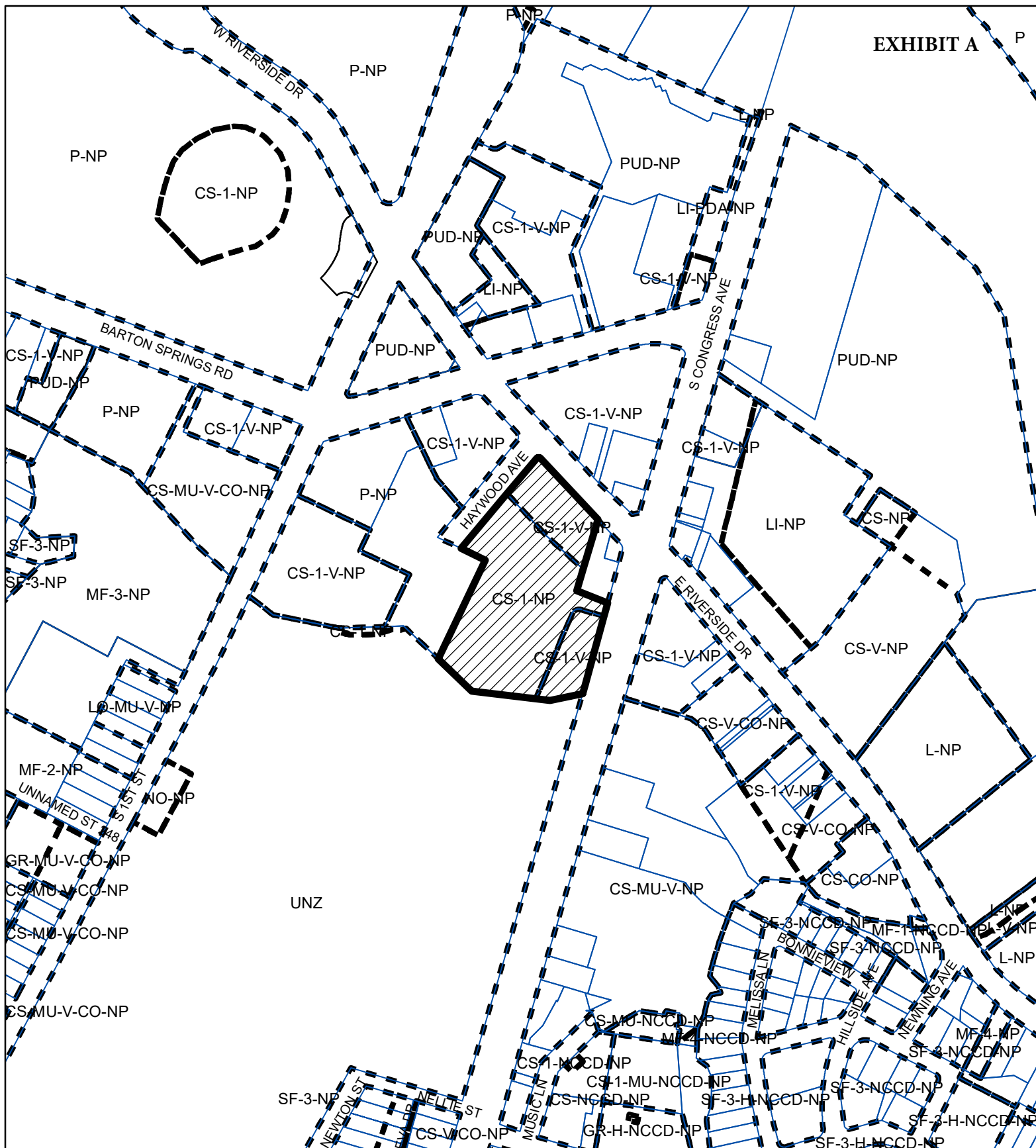
OWNER/APPLICANT: 500 South Congress Owner, LLC
(Michael Iannacone, Executive Vice President)

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle Jr.)
Garza EMC (Jonathan E. McKee, P.E.)
BOE Consulting Services (Bobak Tehrancy, P.E.)

ENVIRONMENTAL COMMISSION BRIEFING DATE: February 21, 2024

CITY COUNCIL BRIEFING DATE: Email: sherri.sirwaitis@austintexas.gov
Phone: 512-974-3057

ASSIGNED STAFF: Sherri Sirwaitis


$$1'' = 400'$$

DEVELOPMENT ASSESSMENT

CASE#: CD-2023-0001

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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



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April 25, 2023

David Gray
Interim Director, Planning Department
City of Austin
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: Development Assessment / PUD Pre-Application for the 500 South Congress
PUD (the "Application")

Dear Mr. Gray:

This Application is submitted in accordance with Chapter 25-2, Section 1.3, Subchapter B, Article 2, Division 5 (*Planned Unit Developments*) of the City Code for ±6.01 acres of land located at 500 and 510 South Congress Avenue, 105 West Riverside Drive, and 407 ½ Haywood Avenue, in Austin, Travis County, Texas (the "Property"). The Property is located within the boundaries of the South Central Waterfront Vision Framework Plan ("SCWFP") adopted by City Council on June 16, 2016, and within the South-Central Waterfront Tax Increment Reinvestment Zone No. 19 ("TIRZ") approved by the City to fund certain public infrastructure and community benefits within the plan area.

The purpose of this Application is to request that the Property be rezoned from Commercial-Liquor Sales District – Neighborhood Plan Combining District ("CS-1-NP") and Commercial-Liquor Sales District – Vertical Mixed Use Building Combining District – Neighborhood Plan Combining District ("CS-1-V-NP") to Planned Unit Development District – Neighborhood Plan Combining District ("PUD-NP") in order to allow for a mixed use development that would not otherwise be permitted under conventional zoning regulations.

The Property is comprised of ±6.01 acres and is developed with multi-family, office uses and a cocktail lounge with associated surface parking and related facilities. The proposed project will include development superior than what is currently developed on the Property. The project will consist of a mixed-use development of approximately 800 residential units, a 225 key hotel, 200,000 square feet of office, 90,000 square feet of retail use, 30,000 square feet of restaurant

use, and a 25,000 square foot grocery store (the “Project”). The majority of the parking for the Project will be achieved through a below grade parking structure(s).

The 500 South Congress PUD (the “PUD”) proposes to maintain the existing CS-1 base district as the baseline for the PUD. The Project will provide a development that is far superior than what currently exists on the Property and what could otherwise be developed under conventional zoning and will enhance upon the guiding principles outlined in the SCWFP. The Project will improve pedestrian connectivity across and along the Property by strengthening the East-West connection between South First and South Congress through an elevated boardwalk and trails along East Bouldin Creek as envisioned under the SCWFP. The Project also proposes to remove existing impervious cover and improvements from the Critical Water Quality Zone and floodplain, and incorporate several environmental/ecological enhancements throughout the Property. The superiority elements are summarized in greater detail in the Tier One and Tier Two Superiority Chart included with the Application.

Below is a list of the items that have been provided to assist with your review of the Application. A Superiority Table is included with the Application that outlines all of the PUD Tier One and Tier Two requirements to show how the Project meets or exceeds the Land Development Code. Additionally, a List of Code Modifications and a Code Comparison Chart are also included with this submittal to identify the code modifications being requested and provide a direct comparison between current code and what is proposed by the PUD. These code modifications may be modified after consultation with your staff. It is our intent to modify all applicable codes, ordinances, and rules as necessary to facilitate development of the Project.

Attached are the following:

1. Development Assessment Application
2. TIA Determination Worksheet
3. Tax plat and Tax Certificate
4. Owner’s Authorization Letter
5. Superiority Table
6. List of Code Modifications
7. Code Comparison Chart
8. Carbon Impact Statement
9. Deed
10. Field Notes
11. Environmental Resource Inventory
12. Exhibits
 - a. Existing Zoning
 - b. Existing Conditions
 - c. Land Use Plan
 - d. General Notes Plan

Thank you in advance for your time and consideration of this matter. If you have any questions or need additional information, please do not hesitate to contact me or Amanda Morrow at (512) 435 – 2368.

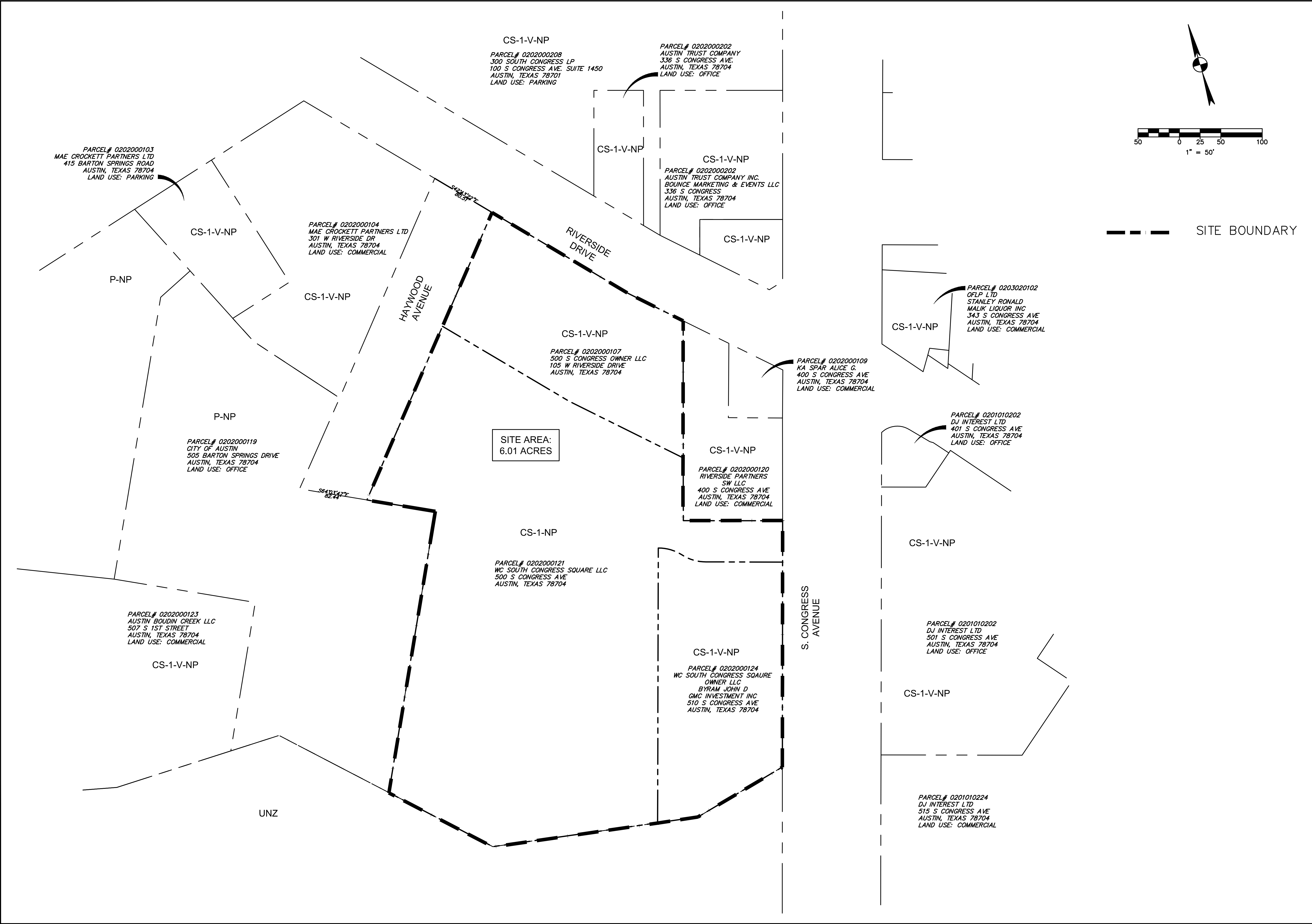
Very truly yours,


ARMBRUST & BROWN, PLLC

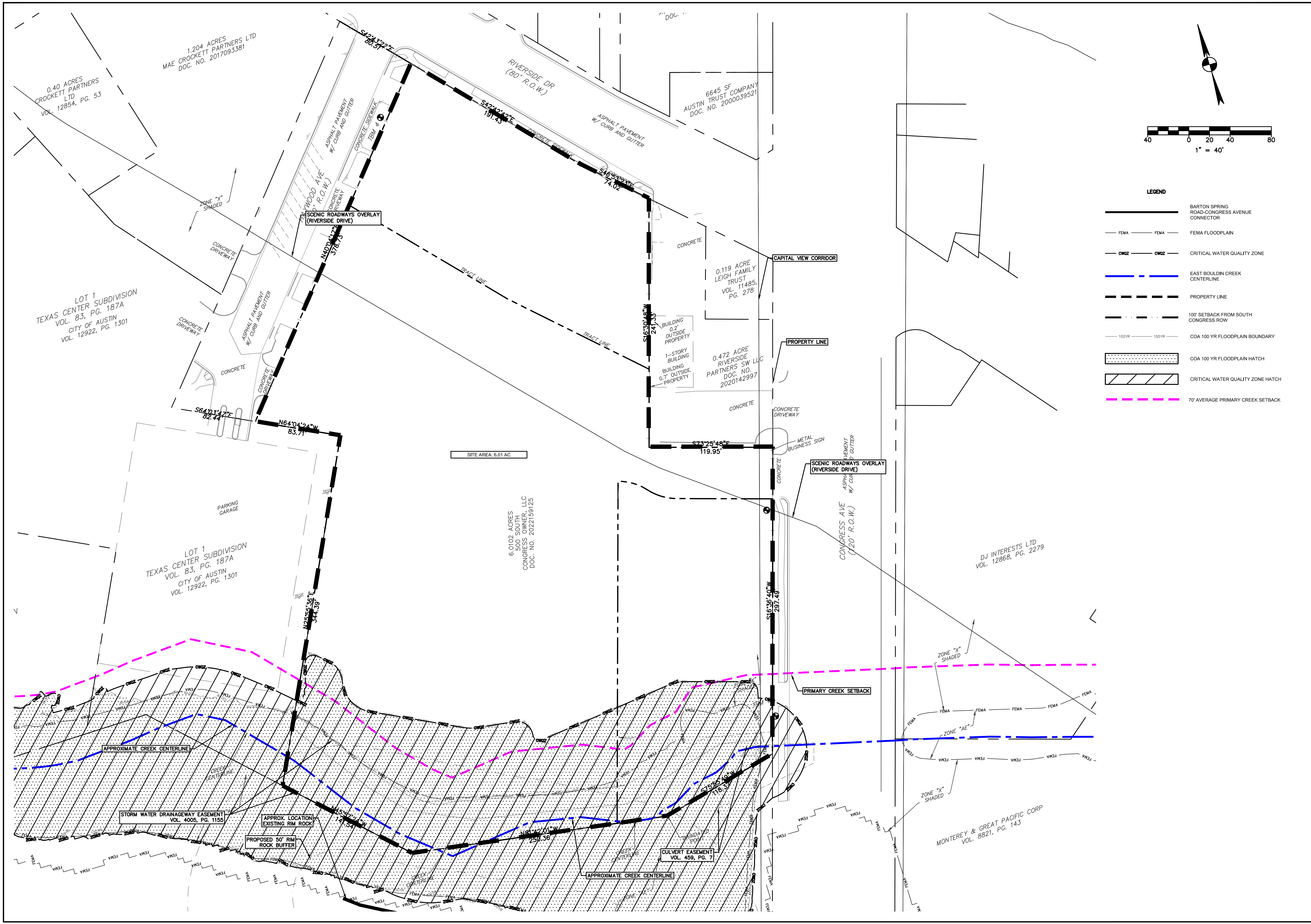



Richard T. Suttle, Jr.

cc: Joi Harden
Michael Iannacone
Dawood Rouben
Amanda Morrow
Amanda Hendrix



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EXISTING ZONING			
500 S. CONGRESS PUD 500 S. CONGRESS AUSTIN, TX		THE RELATED COMPANIES	
DRAWN BY:	DESIGNED BY:	QA / QC:	PROJECT NO.: 113870-0005
SHEET 01		OF 04	



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LAND USE	
500 S. CONGRESS PUD PUD 500 S. CONGRESS AUSTIN, TX	
THE RELATED COMPANIES	
DRAWN BY:	DESIGNED BY:
QA / QC:	PROJECT NO.:
SHEET 03 OF 04	

SITE PLAN SUMMARY TABLE	
SITE AREA (SF)	261,795.6
SITE AREA (AC)	6.01
MAXIMUM BUILDING HEIGHT (FT)	575
MAXIMUM IMPERVIOUS COVER (AC)	5.41
MAXIMUM IMPERVIOUS COVER (%)	90
MAXIMUM BUILDING COVERAGE (SF)	235,660
MAXIMUM BUILDING COVERAGE (%)	90
MAXIMUM FLOOR TO AREA RATIO (FAR)	6.11:1

Code Modifications

General Requirements and Procedures

1.Section 25-1-21(105) (Definitions, Site) is modified to allow a site to cross a public street or right-of-way.

2.Chapter 25-1, Article 14 (Parkland Dedication) is modified such that parkland dedication shall be satisfied in accordance with the standards outlined in the PUD.

Zoning

3.Section 25-2-144(D) (Planned Unit Development (PUD) District Designation) is modified to allow the PUD to include less than 10 acres.

4.Section 25-2, Subchapter B, Article 2, Division 5, Section 2.3.1(L) (Tier One Requirements) is modified to allow the PUD to include less than 10 acres.

5.Section 25-2-491(C) (Permitted, Conditional and Prohibited Uses) is modified to allow the uses provided below as permitted uses.

Permitted uses:

Bed & Breakfast (Group 1)
Bed & Breakfast (Group 2)
Condominium Residential
Multifamily Residential
Townhouse Residential
Short-Term Rental (Types 1 and 3)
Administrative and Business Office
Art Gallery
Art Work Shop
Automotive Sales
Automotive Rentals
Business or Trade School
Business Support Services
Cocktail Lounge
Commercial Off-Street Parking
Communications Services
Consumer Convenience Services
Consumer Repair Services
Convenience Storage
Electronic Prototype Assembly
Electronic Testing
Financial Services
Food Preparation
Food Sales
General Retail Sales (Convenience)
General Retail Sales (General)
Hotel-Motel
Indoor Entertainment
Indoor Sports and Recreation
Kennels
Laundry Services
Liquor Sales
Medical Offices - exceeding 5,000 sq. ft. gross floor area
Medical Office - not exceeding 5,000 sq. ft. gross floor area
Off-Site Accessory Parking
Outdoor Entertainment
Outdoor Sports and Recreation
Pedicab Storage and Dispatch
Personal Improvements Services
Personal Services
Pet Services
Professional Office
Recreational Equipment Maint. & Stor.
Recreational Equipment Sales
Research Assembly Services
Research Services
Restaurant (General)
Restaurant (Limited)
Service Station
Software Development
Theater
Vehicle Storage
Veterinary Services
Custom Manufacturing
Community Garden
Indoor Crop Production
Urban Farm
Administrative Services
Camp
Club or Lodge
College and University Facilities
Communication Service Facilities
Community Events
Community Recreation (Private)
Community Recreation (Public)
Congregate Living
Convalescent Services
Counseling Services
Cultural Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Family Home
Group Home, Class I (General)
Group Home, Class I (Limited)
Group Home, Class II
Hospital Services (General)
Hospital Services (Limited)
Local Utility Services
Maintenance and Service Facilities
Park and Recreation Services (General)
Park and Recreation Services (Special)
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities
Religious Assembly
Safety Services
Telecommunication Tower
Transportation Terminal

Conditional uses:

General Warehousing and Distribution
Light Manufacturing
Limited Warehousing and Distribution

6.Section 25-2-691(C) (Waterfront Overlay (WO) District Uses) is modified to allow the uses provided below as additional pedestrian-oriented uses.

- Administrative and Business Offices
- Automotive Sales
- Automotive Rentals
- Automotive Repair Services
- Financial Services
- Hotel Motel
- Indoor Entertainment
- Indoor Sports/Recreation
- Medical Offices - exceeding 5,000 sq. ft. gross floor area
- Medical Office - not exceeding 5,000 sq. ft. gross floor area
- Personal Improvement Services
- Personal Services
- Pet Services
- Professional Office
- Recreation and Equipment Sales
- Theater
- Transportation Terminal
- Temporary Uses Described in Section 25-2-921
- Veterinary Service

Code Modifications (cont.)

7.Section 25-2-691(D) (Waterfront Overlay (WO) District Uses) is modified to allow pedestrian oriented uses above the ground floor of a structure.

8.Section 25-2-721(B) (Waterfront Overlay (WO) Combining District Regulations) is modified to allow the following improvements within the primary setback area:
Buildings, Sidewalk, Handrails, Pavers, Outdoor Recreation, Boardwalks, Green Infrastructure, Benches, Shade Structures, Site Lighting, and Landscaping.

9.Section 25-2-721(B) (Waterfront Overlay (WO) Combining District Regulations) is modified to allow a maximum of 40% percent impervious cover within the primary setback area.

10.Section 25-2-721(G) (Waterfront Overlay (WO) Combining District Regulations) is modified so that loading and unloading shall be allowed from any internal driveway and not required to be screened from public view. Loading and unloading locations on private internal driveways are subject to TDM spacing and dimensional requirements subject to ATD approval.

11.Sections 25-2-742(B)(2) (South Shore Central Subdistrict Regulations) is modified to reduce the primary setback line to an average of 70 feet from the East Bouldin Creek centerline as shown on the Land Use Plan.

12.Development of the property is exempt from Section 25-2-742(C)(2) (South Shore Central Subdistrict Regulations).

13.Section 25-2-742(E)(2) (South Shore Central Subdistrict Regulations) is modified to allow a building base wall with a maximum height of 90 feet south of Riverside Drive.

14.Development of the property is exempt from Section 25-2-742(F) (South Shore Central Subdistrict Regulations).

15.Development of the Property is exempt from the maximum height limitations established in Sections 25-2-742(G)(3) and (G)(4) (South Shore Central Subdistrict Regulations).

16.Development of the Property is exempt from Chapter 25-2, Subchapter E (Design Standards and Mixed Use), Article 2.2 (Relationship of Buildings and Streets and Walkways), Article 2.3(Connectivity Between Sites), and Article 2.4 (Building Entryways).

Site Plan

17.Section 25-5-81(B) (Site Plan Expiration) is modified such that a site plan expires eight (8) years after the date of its approval, unless Section 25-5-81 subsections (C), (D), or (E) are met.

Transportation

18.Section 25-6-55 (Dedication of Right-of-Way) is modified to remove the requirement to extend Texas Center Drive through the Property.

19.Section 25-6-381 (Minimum Frontage for Access) is modified to allow access to Congress Avenue and West Riverside Drive which are classified as a major roadway.

20.Section 25-6-477 (Bicycle Parking), 25-6-478 (Motor Vehicle Reductions General), 25-6-532 (Off-Street Loading Standards), and Appendix A (Tables of Off-Street Parking and Loading Requirements) are modified such that the minimum off-street parking, bicycle parking, and loading requirements shall be consistent with market conditions and approved by the ATD Director subject to the TDM Plan approved as part of the PUD.

21.Section 25-6-471 (Off-Street Parking Facility Required) is modified to allow shared parking for the various uses within the PUD regardless of where the use or parking is located within the PUD.

22.Section 25-6-532 (Off-Street Loading Standards) is modified to allow shared loading and unloading spaces for the various uses within the PUD regardless of where the use or loading and unloading is located within the PUD.

Environmental

23.Section 25-8-63(C)(11) (Impervious Cover Calculations) is modified to exclude a parking structure from impervious cover calculations when the parking structure is constructed below the finished grade of the land, is covered by soil having a minimum depth of two feet with an average depth of not less than four feet, and Landowner shall at the time of site plan submit documentation to the City evidencing the discharge or impoundment of groundwater from the parking structure, if any, will be managed to avoid adverse effects on public health and safety, the environment, and adjacent property. A parking structure meeting the requirements of this section may exceed 15% of the site area.

24.Section 25-8-261 (Critical Water Quality Zone Development) and the ECM are modified to allow the following improvement(s) within the Critical Water Quality Zone:

Buildings, Sidewalk, Driveways/Drop-Offs, Handrails, Pavers, Outdoor Recreation, Boardwalks, Green Infrastructure, Benches, Shade Structures, Site Lighting, Landscaping Improvements including - hard surface trails, bicycle trails, picnic facilities, playscapes and rain gardens - underground rain-water cisterns, stormwater outfall structures, concessions, food and beverage vendors, bicycle rentals, sports equipment rentals, dining facilities, performance and special events facilities, boardwalks, sidewalks, pavilions, exercise equipment and courses.

Signage

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

LAND USE NOTES:

1. THE SIZE, CONFIGURATION AND LOCATION OF THE DRIVEWAYS AS SHOWN HEREON IS AN APPROXIMATION FOR ILLUSTRATION PURPOSES. THE OWNER WILL ESTABLISH AND SET FORTH THE SIZE, CONFIGURATION AND LOCATION OF THE DRIVEWAYS AT THE TIME OF SITE DEVELOPMENT PERMIT.
2. AN INTEGRATED PEST MANAGEMENT PLAN WILL BE IMPLEMENTED FOLLOWING THE GUIDELINES DEVELOPED BY THE CITY OF AUSTIN GROW GREEN PROGRAM.
3. THIS PUD WILL COMPLY WITH THE AUSTIN ENERGY GREEN BUILDING PROGRAM TO ACHIEVE A MINIMUM OF A 2-STAR RATING.
4. THE PUD WILL INCORPORATE PUBLIC ART INTO THE PROJECT.
5. THE PUD SHALL UTILIZE GREEN WATER QUALITY CONTROLS AS DESCRIBED IN THE ENVIRONMENTAL CRITERIA MANUAL TO TREAT A MINIMUM OF 50% OF THE WATER QUALITY VOLUME REQUIRED BY CODE.
6. 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.
7. EXCEPT WHERE MODIFIED HEREIN, DEVELOPMENT WITHIN THE PUD SHALL BE SUBJECT TO SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE).
8. IMPERVIOUS COVER, BUILDING COVER AND FLOOR TO AREA RATIO IS BASED ON GROSS SITE AREA OF ALL LAND WITHIN THE PUD.
9. IMPERVIOUS COVER, BUILDING COVER AND FLOOR TO AREA RATIO WILL BE HIGHER BASED ON PARCEL BY PARCEL CALCULATION.

GENERAL NOTES

500 S. CONGRESS PUD PUD
500 S. CONGRESS AUSTIN, TX

THE RELATED COMPANIES

DRAWN BY:

DESIGNED BY:

QA / QC:

PROJECT NO.: 113870-0-0005

SHEET

04

OF

04



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500 SOUTH CONGRESS PUD CODE COMPARISON CHART				
	EXISTING CONDITIONS	CURRENT CODE	South Central Waterfront	500 SOUTH CONGRESS PUD
Acreage	6.0102 Acres	6.0102 Acres	6.09 acres	6.0102 Acres
Jurisdiction	Full Purpose	Full Purpose	Full Purpose	Full Purpose
Use	The property is developed with a four-story office building, a two-story office building, and a multi-family complex with surface parking and related infrastructure.	The property is zoned CS-1-NP and CS-1-V-NP. A mix of uses are permitted under this existing zoning district and applicable South Shore Central Waterfront Overlay.	Assumed property would be developed using PUD zoning. 371,000 sq.ft. of Office 32,000 sq.. of Retail 387,000 sq.ft. of Residential 824 above grade structured parking spaces	The PUD will consist of a mixed use development with office, hotel, residential, retail, food sales, and food and beverage uses.
Height	The existing buildings on the property range from 2-stories to 4-stories.	For the portion of the property zoned CS-1-NP, the property can achieve a maximum height of 60-ft. For the portions of the property zoned CS-1-V-NP, a maximum building height of 90-ft may be achieved in accordance with Section 4.3 of Subchapter E (<i>Vertical Mixed Use Buildings</i>). <i>Section 25-2-742(G)(South Shore Central Subdistrict Regulations)</i> The maximum height is: (1) For structures located between the primary and secondary setback lines, the lower of 35-ft of the maximum height allowed in the base zoning district. (3) For structures located within 100-ft of the right-of-way of South Congress Avenue or South First Street, the lower of 60-ft or the maximum height allowed in the base zoning district. (4) For structures located in all other areas of the subdistrict, the lower of 96-ft or the maximum height allowed in the base zoning district. <i>Section 25-2-642 (Capitol View Corridor (CVC) Overlay District Regulations)</i> (A) In the Capitol View Corridor (CVC) combining district, the maximum height permitted is the lesser of: (1) the base district maximum height; or (2) The maximum height provided in this section. (B) In a Capitol view corridor, a structure may not exceed the elevation of the plane delineating the corridor. The height limit exceptions in Section 25-2-531 (<i>Height Limit Exceptions</i>) do not apply to this subsection.	Two 200-ft buildings at 15 - 18 stories.	The PUD proposes a maximum building height of 575-ft.

Setbacks	The existing improvements on the property encroach into the primary and secondary setback lines established along Bouldin Creek.	<p>Section 25-2-492 (<i>Site Development Regulations</i>)</p> <p>Front Yard Setback: 10-ft Street Side Yard: 10-ft Interior Side Yard: 0-ft Rear Yard: 0-ft</p> <p>25-2-742(<i>South Shore Central Subdistrict Regulations</i>) establish a primary setback line located 80-ft from the centerline of East Bouldin Creek and a secondary setback line 130-ft from the primary setback line parallel to the East Bouldin Creek centerline. Per Section 25-2-721(B) (<i>Waterfront Overlay (WO) Combining District Regulations</i>) in a primary setback area: (1) except as otherwise provided in this subsection, parking areas and structures are prohibited; and (2) Park facilities, including picnic tables, observation decks, trails, gazebos, and pavilions, are permitted if: (a) The park facilities are located on public land; and (b) the impervious cover does not exceed 15% Per Section 25-2-721(C)(<i>South Shore Central Subdistrict Regulations</i>) in a secondary setback area: (1) foundations, patios, terraces, outdoor restaurants, and similar uses are permitted; and (2) impervious cover may not exceed 30%.</p> <p>Section 25-2-742(F)(<i>South Shore Central Subdistrict Regulations</i>) requires a basewall with a maximum height of 35-ft for structures adjacent to and oriented towards Riverside Drive. The portion of the structure building above the basewall and oriented toward Riverside Drive must fit within an envelop delineated by a 70 degree angle starting at a line along the top of the basewall with the base of the angle being the horizontal plan extending from the line parallel to and away from the surface of Riverside Drive.</p>	The SCWP proposes to consolidate the 80-ft primary and 130-ft secondary waterfront overlay setback established from the centerline of East Bouldin Creek to a 100-ft primary setback.	The PUD proposes 0-ft setbacks along all property lines. Additionally, the PUD proposes to maintain an average 70-ft primary setback parallel to the centerline of East Bouldin Creek and to remove the secondary setback line.
Park Acreage	There is no parkland currently on the existing development. The property is located entirely within a Parkland Deficient Area.	<p>Section 25-1-601(B) (<i>General Provisions</i>) - Except as otherwise provided in this section the parkland dedication requirements of this article apply to: (1) A residential or commercial subdivision within the planning jurisdiction (2) A site plan within the zoning jurisdiction that includes residential units or commercial square footage; and (3) A building permit for residential or commercial development, as provided under Section 25-1-608</p> <p>Section 25-2-608(N) (<i>Dedication of Parkland</i>) Development within a PUD zoning district, may, if required by the ordinance adopting the PUD, be subject to additional parkland requirements and may be entitled to count dedicated parkland towards meeting the open space requirements under Chapter 25-2, Article 2, Division 5 (<i>Planned Unit Developments</i>).</p>	Identifies areas along East Bouldin Creek within the 100' primary setback and as permanent public access area. The plan further calls for pedestrian access to East Bouldin Creek from the extension of Texas Center Drive within public access easements.	We will submit a Parkland early determination request after the Development Assessment is submitted for review.
Open Space	There is no open space within the existing development.	Chapter 25-2, Subchapter E, Section 2.7 (<i>Private Common Open Space and Pedestrian Amenities</i>): all development greater than 2 acres in size and all multi-family and condominium uses shall devote a minimum of 5% of the gross site area to one or more types of private common open space and pedestrian amenities outlined in the section.	Identifies areas along East Bouldin Creek within the 100' primary setback and as permanent public access area. The plan further calls for pedestrian access to East Bouldin Creek from the extension of Texas Center Drive within public access easements.	The PUD will provide 10% more open space than the 10% and 20% open space requirements for residential and nonresidential programs respectively - as per Tier 2 Superiority.
Water Quality	The existing development does not provide any water quality controls.	Section 25-8-211 (<i>Water Quality Control Requirement</i>) - Water quality controls are required for development if the total of new and redeveloped impervious cover exceeds 8,000 square feet.	Green infrastructure such as: permeable pavement, bioswales, raingardens, green roofs, constructed wetlands.	Our project can commit to a minimum of 50% green infrastructure comprised of items outlined in the menu under Section 25-8-211.

Drainage	The property currently drains to East Bouldin Creek. There is no detention currently on the site.	<p>Section 25-7-61 (<i>Criteria for Approval of Development Applications</i>)</p> <p>(A) A development application may not be approved unless:</p> <p>(1) the proposed development application demonstrates sufficient capacity for the design flood, as determined by the Drainage Criteria Manual;</p> <p>(2) each proposed improvement is sufficiently strong to resist:</p> <p>(a) external pressure caused by earth or building; and</p> <p>(b) internal pressure or abrasion caused by water or debris;</p> <p>(3) The proposed grades will not permit water to gather in a pool that may become stagnant, excluding variable pools in creek beds as a result of natural channel design;</p> <p>(4) temporary and permanent measures to control erosion are sufficient to minimize siltation of the waterway as determined under the ECM; and</p> <p>(5) The proposed development:</p> <p>(a) will not result in additional adverse flooding impact on other property;</p> <p>(b) to the greatest extent feasible, preserves the natural and traditional character of the land and the waterway located within the 100-year floodplain;</p> <p>(c) except as provided in Subsection B, includes on-site control of the two-year peak flood, as determined under the DCM and ECM.</p> <p>(d) will not result in additional erosion impacts on other property; and</p> <p>(e) locates all proposed improvements outside the erosion hazard zone, unless protective works are provided as prescribed in the ECM.</p>	Green infrastructure such as: permeable pavement, bioswales, raingardens, green roofs, constructed wetlands.	We will be meeting code requirements for site detention.
Floodplain	Portions of the property are located within the City of Austin 25-year and 100-year floodplain. The property is also partially located within the FEMA 100-year floodplain. There are existing improvements/structures located within these areas.	<p>Section 25-7-92 (<i>Encroachment on Floodplain Prohibited</i>)</p> <p>(A) Except as provided in Section 25-7-96 (<i>Exceptions in the 25-year floodplain</i>) and unless a variance is granted by the director, a development application may not be approved if a proposed building or parking area encroaches on the 25-year floodplain.</p> <p>(B) Except as provided in Section 25-7-93(<i>General Exceptions</i>), 25-7-94(<i>Exceptions in Central Business Area</i>), and 25-7-95(<i>Exceptions for Parking Areas</i>) and unless a variance is granted by the director, a development application may not be approved if a proposed building or parking area encroaches on the 100-year floodplain.</p>	N/A	The PUD will be modifying the floodplain to remove existing floodplain from the internal areas of the site by elevating grade/topography. This will be mitigated by removing existing buildings adjacent to the creek to create additional floodplain capacity within the creek channel.
Impervious Cover	The property is currently developed with 77.3% impervious cover.	Section 25-2-492(<i>Site Development Regulations</i>) limits impervious cover for property zoned CS-1 to 95%.	N/A	The site is currently contemplated at approximately 90% impervious cover absent of any studies regarding fill above sub-grade parking. This is a 5% reduction of the maximum impervious cover allowed under existing zoning.
CWQZ	The property includes approximately 2.25 acres within the Critical Water Quality Zone (CWQZ) at 75% impervious cover. There are several improvements including building structures and surface parking within this area.	Section 25-8-261 (<i>Critical Water Quality Zone Development</i>) - Development is prohibited in a Critical Water Quality Zone with the exception of passive improvements such as fences, open space, athletic fields, etc.. Development allowed within the Critical Water Quality Zone under this Division shall be revegetated and restored within the limits of construction as prescribed by the ECM.	Compliance with current code. Proposed trails along East Bouldin Creek shall be located a least 50-ft from the centerline of the creek.	As currently contemplated, the PUD proposes a further 5% reduction of impervious cover in the CWQZ, resulting in an average of 70% impervious cover.
CWQZ crossing	N/A	N/A	N/A	N/A
Critical Environmental Features (CEF)	N/A	N/A	N/A	While our site does not contain any Critical Environmental Features (CEFs), it is impacted by CEFs located on the south side of the creek that the Project is currently evaluating/surveying. This setback buffer is recommended to be reduced from 150' to 50' as per the ERI.
Cut/Fill	N/A	N/A	N/A	N/A

Construction on Slopes	N/A	N/A	N/A	N/A
Tree Protection	N/A	<p>Section 25-8-602(<i>Definitions</i>)</p> <p>(1) Heritage Tree means a tree that haws a diameter of 24 inches or more, measured four and a half feet above natural grade, and is one of the following species: Texas Ash, Bald Cypress, American Elm, Cedar Elm, Texas Madrone, Bigtooth Maple, All Oaks, Pecan, Arizona Walnut, Eastern Black Walnut.</p> <p>(2) Protected tree means a tree with a diameter of 19-inches or more, measured four and a half feet above natural grade.</p> <p>Section 25-8-621 (<i>Permit Required for Removal of Protected Trees; Exceptions</i>).</p> <p>(A) Except as otherwise provided in this section, a person may not remove a protected tree unless the Planning and Development Review Department has issued a permit for removal under this Division.</p> <p>Section 25-8-641 (<i>Removal</i>)</p> <p>(A) Removal of a heritage tree is prohibited unless the Planning and Development Review Department has issued a permit for the removal under this Division.</p> <p>(B) A permit to remove a heritage tree may be issued only if a variance is approved under Section 25-8-642(Administrative Variance) or 25-8-643(Land Use Commission Variance).</p>	<p>Tree Protection:</p> <p>-100% of heritage trees shall be preserved, unless a tree is dead, diseased, or an imminent hazard. Protected trees shall be preserved.</p> <p>Street Trees:</p> <p>- At least 1,000 cubic fee of soil volume shall be provided per tree. Alternatively, the City Arborist may allow alternative compliance if there is a utility conflict or 1,000 cubic fee is otherwise not available.</p> <p>- Overhead utilities shall be relocated underground to avoid any conflicts with the planting of shade trees.</p> <p>- all new utilities shall be located under the street with sufficient clearances to allow for the tree planting zone. Lateral lines may cross the planting zone.</p> <p>-Exhibit overhead utilities shall be relocated underground.</p> <p>-Root barriers shall be introduced and located solely on the utility sid, rather than creating boxes around the trees</p>	100% of all Heritage trees that are not dead, diseased or an imminent danger to people or property, will be preserved/protected and/or relocated as necessary.
Green Building	N/A	The property is not required to comply with the City of Austin's Green Building Program under Current Code.	2-Star AEGB rating.	The PUD will achieve a minimum 2 star rating under the City of Austin's Green Building Program.

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§2.3 - TIER ONE REQUIREMENTS			
LDC Reference (Chapter 25-2, Subchapter B, Division 5)	Subject	Code Requirement	The 500 South Congress PUD meets or exceeds this requirement by:
2.3.1.A 2.3.1.B		Meet the objectives of the City Code. Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 (General Intent) than development under the regulations in the Land Development Code. <i>Section 1.1 General Intent goals: preserving the natural environment, encouraging high quality development and innovative design, and ensuring adequate public facilities and services.</i>	The PUD will create a high-quality development that provides a new model for urban design in regards to enhancing existing local natural environments, crafting public amenities and promoting an engaging pedestrian and alternative transportation-friendly experience between South 1 st Street and South Congress Avenue. As currently conceived, the mixed-use development will highlight its engagement with East Bouldin Creek by bringing the natural realm into the heart of the project, allowing for new public access to an often-forgotten portion of the waterway. In addition, the PUD will provide new active and passive amenities of benefit to the public, including accessible recreational zones, civic gathering spaces complimented by-green infrastructure and neighborhood amenities.
2.3.1.C	Open Space	Provide a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts, and 20 percent of the nonresidential tracts within the PUD, except that: 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 characteristics that make open space infeasible if other community benefits are provided.	The PUD will exceed the 10% and 20% open space requirements for residential and nonresidential programs respectively, by (i) amenitizing the area along East Bouldin Creek, (ii) creating a highly activated pedestrian perimeter that connects the public to and through the center of the project, (iii) extending a protected bike lane from Haywood Avenue over to South Congress Avenue internal to the project, (iv) configuring the buildings in a way that allows a series of publicly accessible spaces that support active and passive recreational activities - including sport courts and play spaces, (v) providing ample terrace and rooftop amenity spaces for tenants of the development, and (vi) creation of urban gardens.
2.3.1.D	Green Building Program	Provide a two-star Austin Energy Green Building Rating.	The PUD will meet the two-star Austin Energy Green Building Rating across the mixed-use development.
2.3.1.E	Neighborhood Plans, Historic Areas & Compatibility	Be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations, and compatible with adjacent property and land uses.	The PUD is located in the Bouldin Creek Neighborhood planning area and is designated as “Mixed-Use” on the Future Land Use Map (“FLUM”). The proposed hotel, residential, office, and retail uses are consistent with the FLUM and the vision described in the South-Central Waterfront Framework Plan (“SCWFP”).
2.3.1.F	Environmental Protection	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.	As it exists, the portion of the creek immediately south of the property is in a state of disrepair from both a physical and ecological perspective. To remedy this, the PUD seeks to clean up, preserve and enhance East Bouldin Creek by (i) working with the topography and traditional character of the land, (ii) re-building and stabilizing the creek, (iii) repairing its edge by preserving native healthy plants and trees, and establishing a floodplain forest/riparian woodland along the creek, (iv) increasing the creek’s local biodiversity by planting flowers and other vegetation along its edge, (v) removing invasive species, (vi) enhancing wildlife habitat, and (vii) softening the northern edge of the creek by removing any concrete present and creating buffer zones, to prevent further erosion of the creek’s southern edge and bed. Additionally, the PUD seeks to incorporate an elevated boardwalk that prevents erosion and preserves the ecology of the creek, to activate and amenitize it by making it accessible to the public and provide an enhanced social presence.
2.3.1.G	Public Facilities	Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities.	This is an urban infill project and will not carry the same burden on city infrastructure as suburban development.

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2.3.1.H	Landscaping	Exceed the minimum landscaping requirements of the City Code.	The PUD will exceed the minimum landscape requirements and will utilize native and adaptive species as well as non-invasive plant species per the City of Austin Grow Green program. All plant material for streetscapes and parkland will be sourced from nurseries within 300 miles of the site and trees will be selected from the Environmental Criteria Manual (ECM) Descriptive Categories for Tree Species. All other plant material will be selected from Appendix N (City of Austin Preferred Plant List). Within East Bouldin Creek, native plants will be used to create a riparian woodland.
2.3.1.I	Transportation & Connectivity	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.	<p>At present, the site allows for several different existing and proposed transit connections by being within proximity to the ATX Metro Bike Station (250 feet), the proposed Orange Line Auditorium Shores Station (500 feet), the Ann and Roy Butler Hike/Bike Trail (0.04 miles), and the bike lanes along South Congress Avenue.</p> <p>The PUD is intended to include a series of public, pedestrian-friendly, and vehicle-free urban spaces with protected bike lanes internal to the project connecting Haywood Ave and South Congress Avenue - averting the unprotected and unsafe conditions on Riverside Drive altogether. The PUD will be a catalyst of the East Bouldin Creek Hike and Bike Trail promoting further connections as more tracts in the area begin to fulfill the goals of the SCWFP. East-West pedestrian connectivity will be improved across and along the site via an elevated boardwalk along East Bouldin Creek. North-South pedestrian connectivity will be strengthened connecting dense areas such as Music Lane towards Lady Bird Lake and Downtown Austin.</p>
2.3.1.J	Transportation & Connectivity	Prohibit gated roadways.	The PUD will prohibit gated public roadways, but may utilize bollards to protect areas of high pedestrian activity for public safety.
2.3.1.K	Historical Preservation	Protect, enhance and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance.	The site does not contain any structures or sites that are of architectural, historical, archeological or cultural significance.
2.3.1.L	PUD Size	Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	The site is approximately 6.01 acres. It is located in the South-Central Waterfront Overlay District and within the boundaries of the SCWFP. Under current code, there are no zoning categories to achieve the goals of the framework plan other than the PUD zoning district.
2.3.2.A	Commercial Design Standards	Comply with Chapter 25-2, Subchapter E (Design Standards and Mixed Use).	The PUD will comply with Subchapter E of the City's Land Development Code except as modified by the PUD.
2.3.2.B	Commercial Design Standards	Inside the urban roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (Design Standards and Mixed Use), comply with the sidewalk standards in Section 2.2.2., Subchapter E, Chapter 25-2 (Core Transit Corridors: Sidewalks and Building Placement).	The PUD will provide greater superiority than that which is outlined in these sections of the Land Development Code by adhering to and complying with the latest recommendations in the Transportation Criteria Manual (TCM), specifically delineating/constructing separated bicycle and pedestrian facilities along the frontages of South Congress Avenue and Riverside Drive.
2.3.2.C	Commercial Design Standards	Pay the tenant relocation fee established under Section 25-1-715 (Tenant Relocation Assistance – Developer Funded), if approval of the PUD would allow multi-family redevelopment that may result in tenant displacement.	While a tenant relocation fee has not been established as of the date of this application, the PUD commits to provide a \$1,700 per unit relocation fee for tenants located within the property at the time of issuance of a demolition permit for the existing residential structure.
2.3.2.D	Commercial Design Standards	Contain pedestrian-oriented uses as defined in Section 25- 2-691(C) (Waterfront Overlay District Uses) on the first floor of a multi-story commercial or mixed-use building.	The PUD will incorporate Pedestrian Oriented Uses on the first floor of a multi-story commercial or mixed-use building.

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§2.4 - TIER TWO REQUIREMENTS		
<i>This section contains criteria for determining the extent to which development proposed for a PUD district would be superior to that which would occur under conventional zoning and subdivision regulations as required under Section 1.1 (General Intent). A proposed PUD need not address all criteria in this section to achieve superiority, and the council may consider any other criteria the council deems appropriate.</i>		
Subject	Superiority Criteria listed in §2.4	500 South Congress PUD meets or exceeds requirements by:
Open Space	Provides open space at least 10% above the requirements of Section2.3.1.A. (Minimum Requirements). Alternatively, within the urban roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 (Design Standards and Mixed Use), 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.	<p>The PUD will meet the goals of the SCWFP by creating connections comprised of open space through the development and along East Bouldin Creek that are 10% greater than the requirements per uses specified in 2.3.1A. Specifically, the open space amenities for the PUD will include:</p> <ul style="list-style-type: none">• A minimum of 100 linear feet of trail along East Bouldin Creek.• A “Trail Entrance” to the development off of South Congress Avenue that brings site users into the development through the open space and along the restored creek.• A minimum of 5,000 sq. ft. of landscaping at ground level.• A minimum of 1,000 linear feet of internal sidewalks.• A minimum of 300 linear feet of bike paths.• A minimum of 2,000 sq. ft. of recreational courts and play spaces.
Environment / Drainage	a. Complies with current code instead of asserting entitlement to follow older code provisions by application of law or agreement.	The PUD will comply with current code, except as modified by the PUD.
Environment / Drainage	b. Provides water quality controls superior to those otherwise required by code.	The PUD will provide 100% of the required water quality volume onsite, and treatment for at least 50% of the required water quality volume of the site using green stormwater infrastructure as described in Section 1.6.7 of the ECM. The green water quality controls will include, but are not limited to, biofiltration pond(s), rainwater harvesting, rain gardens, vegetated filter strips, pervious pavers, porous pavement, and non-required vegetation.
Environment / Drainage	c. Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50% of the water quality volume required by code.	At a minimum, at least 50% of water quality volume will be treated using green water quality controls among those described in the ECM.
Environment / Drainage	d. Provides water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size.	Not applicable.
Environment / Drainage	e. Reduces impervious cover by 5% below the maximum otherwise allowed by code or includes off-site measures that lower overall impervious cover within the same watershed by 5% below that allowed by code.	The PUD will reduce impervious cover by at least 5% below the maximum allowed by code, which is 95%.
Environment / Drainage	f. Provides minimum 50-foot setback for at least 50% of all unclassified waterways with a drainage area of 32 acres.	Not applicable.
Environment / Drainage	g. Provides volumetric flood detention as described in the Drainage Criteria Manual.	Not applicable.

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Environment / Drainage	h. Provides 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.	Not applicable.
Environment / Drainage	i. Proposes no modifications to the existing 100-year floodplain.	Not applicable.
Environment / Drainage	j. Uses natural channel design techniques as described in the Drainage Criteria Manual.	The PUD proposes to use natural channel design techniques described in the Drainage Criteria Manual (DCM) to enhance the creek edge along East Bouldin Creek.
Environment / Drainage	k. Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas.	<p>The PUD will restore riparian vegetation in existing degraded Critical Water Quality Zone (CWQZ) areas by pulling back from the creek relative to existing conditions which will be demolished as part of the new development. Areas designated as floodplain forest and wetland fringe, will be managed as an "enhanced" grow zone to increase biodiversity, create an incredible user experience in highly utilized areas, and have ecological health as a primary driver of long-term management of the site.</p> <p>Furthermore, a soil management plan will direct amendments for specific management areas throughout the site associated with soil components, texture and flora to optimize conditions. At a minimum this will apply to the streetscape, rain gardens, floodplain forest, herbaceous riparian, lawn and wetland fringe.</p> <p>For all biofiltration areas and perennial planting areas, the design will be comprised of enhanced pollinator and habitat for birds, bees, hummingbirds among others. The perennial landscape will be comprised of rain gardens used as pocket prairies and pollinator gardens, where plantings will include species from the COA "609S Native Seeding and Planting for Restoration" list, and include at least 30 species appropriate for site conditions recommended by the Xerces Society or equivalent entity for pollinator and/or bird habitat. Riparian planting and seeding will exceed 609s requirements for amount and diversity of plants by at least 25%.</p>
Environment / Drainage	l. Removes existing impervious cover from the Critical Water Quality Zone areas.	The PUD proposes to remove 5% impervious cover from the CWQZ, which includes the existing buildings and accessory surface parking lots.
Environment / Drainage	m. Preserves all heritage trees; preserves 75% of the caliper inches associated with native protected size trees; and preserves 75% of all of the native caliper inches.	The PUD will protect and preserve 100% of all heritage trees on site, unless the trees are dead, fatally diseased or pose an imminent hazard to people or property. As currently considered, the PUD will also seek to preserve 75% of the caliper inches associated with native protected size trees (as per COA Appendix F).
Environment / Drainage	n. Tree plantings use Central Texas see stock native and with adequate soil volume.	<p>The PUD will change street tree species at every block length and have a minimum of five (5) street tree species incorporated into the project, with 100% selected from the approved Street Trees and Significant Shade Providers list outlined in Appendix F (Descriptive Categories of Tree Species) of the ECM. The plan will direct amendments and conditioning for specific management areas throughout the site associated with soil components, texture, and flora and to optimize those conditions for: streetscape, rain gardens, floodplain forest, herbaceous riparian, lawn and wetland fringe.</p> <p>The City Arborist may allow for alternative species on a case by case basis and may suggest alternative species based on current availability and site and climate condition. The street trees will be a minimum of 3” caliper measured 6” above grade, and the sizing will comply with the standards for nursery stock (ANSI Z60. 1-2014. In addition, no more than 25% of the planted street trees will be from the same species. This commitment is above and beyond the city standard 60% requirement from Appendix F, 1.5” caliper minimum per tree, and 50% maximum being from the species.</p> <p>Furthermore, the PUD proposes to use 1,000 cubic feet of soil per tree well, where up to 25% of the soil volume may be shared with adjacent trees in continuous plantings.</p>
Environment / Drainage	o. Provides at least a 50% increase in the minimum waterway and/or critical environmental feature setbacks required by code.	Not applicable.

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Environment / Drainage	p. Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.	Impervious cover will be reduced by 5% over that which is allowed by the base zoning district. As contemplated, the PUD seeks to specifically remove approximately 10,000 sq. feet of impervious cover from the SCWF 100’ water quality buffer along East Bouldin Creek, effectively clustering impervious cover within the urbanized pedestrian areas of the site closest to Congress Avenue and Riverside Drive which is considered a less environmentally sensitive area.
Environment / Drainage	q. Provides porous pavement for at least 20% or more of all paved areas for non-pedestrian in non-aquifer recharge areas.	Not applicable.
Environment / Drainage	r. Provides porous pavement for at least 50% or more of all paved areas limited to pedestrian use.	Not applicable.
Environment / Drainage	s. Provides rainwater harvesting for landscape irrigation to serve not less than 50% of the landscaped areas.	The PUD will include rainwater harvesting, which will be utilized to irrigate no less than 50% of the landscape areas.
Environment / Drainage	t. Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.	Whenever permitted by site topography & circulation routes, stormwater runoff from impervious surfaces will be directed to landscaped areas equal to or greater than the required landscape area (min 20% site area).
Environment / Drainage	u. Employs other creative or innovative measures to provide environmental protection.	Other measures used to provide further environmental protections as part of the PUD include (i) supporting wildlife habitat by employing Integrated Pest Management (IPM) controls that reduce overall use of pesticides and herbicides, (ii) utilize dual-piping for landscape/site irrigation, (iii) extend purple pipe to the property from the nearest available point and (iv) implement a sustainable management plan that ensures long-term aesthetics, ecological function and resiliency of public spaces.
Austin Green Builder Program	Provides an Austin Energy Green Building Rating of three stars or above.	Not applicable.
Art	Provides art approved by the Art in Public Places Program in open spaces, either by providing the art directly or by contributing to the City’s Art in Public Places Program or a successor program.	The PUD will incorporate public art into the project.
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).	The PUD is subject to, and will comply with the requirements of Subchapter E as modified. Additionally, the Project Team shall coordinate with the Austin Transportation Department to better understand any specific visions for both Congress Avenue and Riverside Drive that would differ from Subchapter E.
Community Amenities	a. Provides community or public amenities, which may include spaces for community meetings, community gardens or urban farms, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.	The PUD intends to provide (i) a minimum of 2,000 square feet of publicly accessible recreational zones, (ii) an urban grocery store of approximately 20,000 square feet, (iii) at least 15,000 square feet of publicly accessible, pedestrian friendly urban space that connects the project internally and externally to the neighborhood and city, and (iv) a “Trail Entrance” to the development from Congress Avenue that brings site users into the development through the central plaza and along approximately 300 square feet of rejuvenated trail along East Bouldin Creek.
Community Amenities	b. Provides publicly accessible multi-use trail and greenway along creek or waterway.	The PUD will provide new and expanded access to East Bouldin Creek by amenitizing the creek to provide natural public promenades and points of interest to observe nature and the local wildlife. The longest dimension of the creek is approximately 300 linear feet and the total area that will be publicly accessible is approximately 15,000 square feet. Additionally, the proposed development will also punctuate this public space with passive and active recreational activities, public seating and adequate lighting for night time use whereby implementing the vision of the SCWFP.

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Transportation	Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	The PUD will provide bicycle spaces that exceed code requirement for the development. Separate bicycle parking facilities will be provided for tenants and residents of the development. Moreover, the PUD proposes a new publicly accessible creek trail that will provide circulation routes for cyclists and pedestrians. At least 400 linear feet of protected bike lanes will be provided internal to the project and made accessible to the public, with future connections planned from South Congress Avenue to South 1st Street along East Bouldin Creek as well as from South Congress Avenue across the site to Haywood Avenue and across to South 1st Street.
Building Design	Exceeds the minimum points required by the Building Design Options of Section 3.3.2. of Chapter 25-2, Subchapter E (Design Standards and Mixed Use).	The PUD will exceed the minimum required points, achieving a minimum of 10 points.
Parking Structure Frontage	In a commercial or mixed-use development, at least 75 percent of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691(C) (Waterfront Overlay District Uses) in ground floor spaces.	Not Applicable as all parking will be located below grade.
Affordable Housing	Provides for affordable housing or participation in programs to achieve affordable housing.	The PUD will either provide for or participate in programs to achieve affordable housing, working closing with the City of Austin to provide onsite, offsite or fee-in-lieu, subject to financial viability.
Historic Preservation	Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	Not applicable.
Accessibility	Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	The PUD seeks to create an equitable and inclusive site experience as possible and will provide accessibility for persons with disabilities at a degree that complies with the most stringent legal regulations – be they local, state or federal, both within each of the buildings as well as the overall site and landscape.
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.	The PUD will provide 5,000square feet of commercial space for local businesses or non-profits for lease at an affordable rate for a period of 25 years. Such affordable space shall be available for rent by businesses at no more than eighty percent (80%) of the market rents for similar sized and located commercial space on South Congress Avenue.
Project Specific Superiority Items	Electric Charging Stations	The PUD will incorporate electric charging stations within the parking garage for use by tenants and visitors of the development. As currently contemplated, the PUD is targeting charging stations for a minimum of 5% of provided parking.
Project Specific Superiority Items	Carbon Impact Statement	The PUD will participate in the Carbon Impact Statement pilot project and commits to a minimum of 9 points.
Project Specific Superiority Items	Dark Skies compliant Lighting	The PUD will incorporate Dark Skies Compliant lighting in public areas.
Project Specific Superiority Items	Ecology/Bee Habitats	The PUD contemplates creating habitat for local bees and other pollinators by using native plants known for attracting pollinators and/or serving as caterpillar host plants.
Project Specific Superiority Items	Green Wall	The PUD will also provide a (vi) 2,000 square foot vertical green wall to reduce the urban heat island effect, increase habitat and overall experience of the site. This will be located within the public realm in an area that receives greater than 4 hours of sunlight and will either be a vine and mesh or living wall system.
Project Specific Superiority Items	Additional Community Benefits / Riparian Restoration and Critical Environmental Features (CEFs)	The PUD commits to making improvements through riparian restoration to both the north and south sides of the creek that will provide a more aesthetic experience for visitors. This includes the expansion of the riparian woodland canopy and enhancement of existing canopy areas to become more biodiverse. In addition, the inclusion of trees of different sizes and age classes will result in more useful habitat. The process of riparian restoration improvement will include: removal of cement armoring, management of invasive species, installation of bank stabilization where needed and/or laying back of the creek bank, soil enhancement, as well as establishment of a complete riparian community through the planting and seeding of native canopy, understory, and herbaceous layers. The results are better habitat, better places for humans to enjoy nature, and improved water quality.

500 South Congress PUD

Project Specific Superiority Items	Wayfinding/Signage	The PUD commits to environmental signage and wayfinding that communicates the values of the City of Austin with regard to connection to nature, environmental resilience and sustainability. The PUD will include signage for the following environmental superior elements: Water Quality and Riparian Restoration, Tree Preservation and Relocation, Biofiltration Areas, and Pollinator Planting.
Project Specific Superiority Items	Landscape Design/COA Functional Green Score	As currently contemplated, the PUD scores a 0.54 using the Draft COA Functional Green Scoring System. This score is 80% greater than the Goal Target Score of 0.30 as defined by the Austin LDC Code Functional Green Overview.
Project Superiority Alternative Equivalence Items	AEGB vs. LEED	In addition to achieving an AEGB 2-star rating, the PUD will achieve a minimum of LEED Silver rating for residential buildings and LEED Gold for commercial office buildings.
Project Superiority Alternative Equivalence Items	Sustainable Sites (SITES) Pre-Certification	The PUD will attempt to be the first project in the United States to pursue a “Sustainable Sites (SITES) Pre-Certification”, targeting a minimum Silver rating.

500 South Congress PUD Code Modifications

General Requirements and Procedures

1. Section 25-1-21(105) (*Definitions, Site*) is modified to allow a site to cross a public street or right-of-way.
2. Chapter 25-1, Article 14 (*Parkland Dedication*) is modified such that parkland dedication shall be satisfied in accordance with the standards outlined in the PUD.

Zoning

3. Section 25-2-144(D) (*Planned Unit Development (PUD) District Designation*) is modified to allow the PUD to include less than 10 acres.
4. Section 25-2, Subchapter B, Article 2, Division 5, Section 2.3.1(L) (*Tier One Requirements*) is modified to allow the PUD to include less than 10 acres.
5. Section 25-2-491(C) (*Permitted, Conditional and Prohibited Uses*) is modified to allow the uses provided in Note 5 of the Data Table and Notes Sheet as permitted uses.

Permitted uses:

- Bed & Breakfast (Group 1)
- Bed & Breakfast (Group 2)
- Condominium Residential
- Multifamily Residential
- Townhouse Residential
- Short-Term Rental (Types 1 and 3)
- Administrative and Business Office
- Art Gallery
- Art Work Shop
- Automotive Sales
- Automotive Rentals
- Business or Trade School
- Business Support Services
- Cocktail Lounge
- Commercial Off-Street Parking
- Communications Services
- Consumer Convenience Services
- Consumer Repair Services
- Convenience Storage
- Electronic Prototype Assembly
- Electronic Testing

- Financial Services
- Food Preparation
- Food Sales
- General Retail Sales (Convenience)
- General Retail Sales (General)
- Hotel-Motel
- Indoor Entertainment
- Indoor Sports and Recreation
- Kennels
- Laundry Services
- Liquor Sales
- Medical Offices – exceeding 5,000 sq. ft. gross floor area
- Medical Office – not exceeding 5,000 sq. ft. gross floor area
- Off-Site Accessory Parking
- Outdoor Entertainment
- Outdoor Sports and Recreation
- Pedicab Storage and Dispatch
- Personal Improvements Services
- Personal Services
- Pet Services
- Professional Office
- Recreational Equipment Maint. & Stor.
- Recreational Equipment Sales
- Research Assembly Services
- Research Services
- Restaurant (General)
- Restaurant (Limited)
- Service Station
- Software Development
- Theater
- Vehicle Storage
- Veterinary Services
- Custom Manufacturing
- Community Garden
- Indoor Crop Production
- Urban Farm
- Administrative Services
- Camp
- Club or Lodge
- College and University Facilities
- Communication Service Facilities
- Community Events
- Community Recreation (Private)
- Community Recreation (Public)
- Congregate Living
- Convalescent Services

- Counseling Services
- Cultural Services
- Day Care Services (Commercial)
- Day Care Services (General)
- Day Care Services (Limited)
- Family Home
- Group Home, Class I (General)
- Group Home, Class I (Limited)
- Group Home, Class II
- Hospital Services (General)
- Hospital Services (Limited)
- Local Utility Services
- Maintenance and Service Facilities
- Park and Recreation Services (General)
- Park and Recreation Services (Special)
- Private Primary Educational Facilities
- Private Secondary Educational Facilities
- Public Primary Educational Facilities
- Public Secondary Educational Facilities
- Religious Assembly
- Safety Services
- Telecommunication Tower
- Transportation Terminal

Conditional uses:

- General Warehousing and Distribution
- Light Manufacturing
- Limited Warehousing and Distribution

6. Section 25-2-691(C) (*Waterfront Overlay (WO) District Uses*) is modified to allow the uses provided in Note 6 as additional pedestrian-oriented uses.

- Administrative and Business Offices
- Automotive Sales
- Automotive Rentals
- Automotive Repair Services
- Financial Services
- Hotel – Motel
- Indoor Entertainment
- Indoor Sports/Recreation
- Medical Offices – exceeding 5,000 sq. ft. gross floor area
- Medical Office – not exceeding 5,000 sq. ft. gross floor area
- Personal Improvement Services
- Personal Services
- Pet Services

- Professional Office
 - Recreation and Equipment Sales
 - Theater
 - Transportation Terminal
 - Temporary Uses Described in Section 25-2-921
 - Veterinary Service
7. Section 25-2-691(D) (*Waterfront Overlay (WO) District Uses*) is modified to allow pedestrian oriented uses above the ground floor of a structure.
 8. Section 25-2-721(B) (*Waterfront Overlay (WO) Combining District Regulations*) is modified to allow the following improvements within the primary setback area:
Buildings, Sidewalk, Handrails, Pavers, Outdoor Recreation, Boardwalks, Green Infrastructure, Benches, Shade Structures, Site Lighting, and Landscaping.
 9. Section 25-2-721(B) (*Waterfront Overlay (WO) Combining District Regulations*) is modified to allow a maximum of 40% percent impervious cover within the primary setback area.
 10. Section 25-2-721(G) (*Waterfront Overlay (WO) Combining District Regulations*) is modified so that loading and unloading shall be allowed from any internal driveway and not required to be screened from public view. Loading and unloading locations on private internal driveways are subject to TCM spacing and dimensional requirements subject to ATD approval.
 11. Sections 25-2-742(B)(2) (*South Shore Central Subdistrict Regulations*) is modified to reduce the primary setback line to an average of 70 feet from the East Bouldin Creek centerline as shown on the Land Use Plan.
 12. Development of the property is exempt from Section 25-2-742(C)(2) (*South Shore Central Subdistrict Regulations*).
 13. Section 25-2-742(E)(2) (*South Shore Central Subdistrict Regulations*) is modified to allow a building base wall with a maximum height of 90 feet south of Riverside Drive.
 14. Development of the property is exempt from Section 25-2-742(F) (*South Shore Central Subdistrict Regulations*).
 15. Development of the Property is exempt from the maximum height limitations established in Sections 25-2-742(G)(3) and (G)(4) (*South Shore Central Subdistrict Regulations*).
 16. Development of the Property is exempt from Chapter 25-2, Subchapter E (Design Standards and Mixed Use), Article 2.2 (*Relationship of Buildings and Streets and Walkways*), Article 2.3(*Connectivity Between Sites*), and Article 2.4 (*Building Entryways*).

Site Plan

17. Section 25-5-81(B) (*Site Plan Expiration*) is modified such that a site plan expires eight (8) years after the date of its approval, unless Section 25-5-81 subsections (C), (D), or (E) are met.

Transportation

18. Section 25-6-55 (*Dedication of Right-of-Way*) is modified to remove the requirement to extend Texas Center Drive through the Property.
19. Section 25-6-381 (*Minimum Frontage for Access*) is modified to allow access to Congress Avenue and West Riverside Drive which are classified as a major roadway.
20. Section 25-6-477 (*Bicycle Parking*), 25-6-478 (*Motor Vehicle Reductions General*), 25-6-532 (*Off-Street Loading Standards*), and Appendix A (*Tables of Off-Street Parking and Loading Requirements*) are modified such that the minimum off-street parking, bicycle parking, and loading requirements shall be consistent with market conditions and approved by the ATD Director subject to a TDM Plan approved as part of the PUD.
21. Section 25-6-471 (*Off-Street Parking Facility Required*) is modified to allow shared parking for the various uses within the PUD regardless of where the use or parking is located within the PUD.
22. Section 25-6-532 (*Off-Street Loading Standards*) is modified to allow shared loading and unloading spaces for the various uses within the PUD regardless of where the use or loading and unloading is located within the PUD.

Environmental

23. Section 25-8-63(C)(11) (*Impervious Cover Calculations*) is modified to exclude a parking structure from impervious cover calculations when the parking structure is constructed below the finished grade of the land, is covered by soil having a minimum depth of two feet with an average depth of not less than four feet, and Landowner shall at the time of site plan submit documentation to the City evidencing the discharge or impoundment of groundwater from the parking structure, if any, will be managed to avoid adverse effects on public health and safety, the environment, and adjacent property. A parking structure meeting the requirements of this section may exceed 15% of the site area.
24. Section 25-8-261 (*Critical Water Quality Zone Development*) and the ECM are modified to allow the following improvement(s) within the Critical Water Quality Zone:

Buildings, Sidewalk, Driveways/Drop-Offs, Handrails, Pavers, Outdoor Recreation, Boardwalks, Green Infrastructure, Benches, Shade Structures, Site Lighting, Landscaping improvements including - hard surface trails, bicycle trails, picnic facilities, playscapes and rain gardens - underground rain-water cisterns, stormwater outfall structures, concessions, food and beverage vendors, bicycle rentals, sports equipment rentals, dining

facilities, performance and special events facilities, boardwalks, sidewalks, pavilions, exercise equipment and courses.

Signage

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

MASTER REVIEW REPORT

CASE NUMBER: CD-2023-0001

CASE MANAGER: Sherri Sirwaitis

PHONE #: 512-974-3057

PROJECT NAME: 500 South Congress Development Assessment

SUBMITTAL DATE: June 5, 2023 (Case Reassigned)

REPORT DUE DATE: July 12, 2023

FINAL REPORT DATE: August 28, 2023

REPORT LATE: 32 DAYS

LOCATION: 500 South Congress Avenue

DISTRICT: 9

STAFF REVIEW:

This report includes all comments received to date concerning your Development Assessment application.

IF YOU HAVE ANY FURTHER QUESTIONS CONCERNING THE COMMENTS LISTED BELOW PLEASE CONTACT YOUR CASE MANAGER.

THE FOLLOWING COMMENTS SHOULD BE ADDRESSED PRIOR TO SUBMITTING A FORMAL PLAN TO THE DEPARTMENT OF PLANNING AND ZONING. IT IS THE RESPONSIBILITY OF THE APPLICANT OR HIS/HER AGENT TO MODIFY THE PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN SO THAT IT COMPLIES WITH THESE REQUIREMENTS.

INCORPORATED IN THE NUMBERING OF EACH COMMENT IS THE RELEVANT REVIEW SECTION. FOR THESE REFERENCES, THE FOLLOWING ABBREVIATIONS APPLY

SP - SITE PLAN	CM - CAPITAL METRO
SR - SUBDIVISION	CO - COUNTY
TR - TRANSPORTATION	MD - MUD REVIEW
CN - CONSTRUCTION	PH - PHONE COMPANY
DR - DRAINAGE	PK - PARK
EG - ENGINEERING	PO - POST OFFICE
LR - LANDSCAPE REVIEW	PW - PUBLIC WORKS
AR - ARBORIST	SD - SCHOOL DISTRICT
EV - ENVIRONMENTAL	HE - HEALTH DEPARTMENT
WW - WATER AND WASTEWATER	EL - ELECTRIC
FI - FIRE DEPARTMENT	AD - TPSD - ADDRESS
HD - HIGHWAY DEPARTMENT	DG - DRAFTING

REQUIREMENTS: Based on ordinances and written rules adopted by the City of Austin, Texas.

Arborist Review - Jim Dymkowski - 512-974-2772

FYI—ADDITIONAL COMMENTS MAY BE GENERATED WHEN THE REQUESTED INFORMATION HAS BEEN PROVIDED.

CA 0. The PUD development proposes no code modifications to LDC SUBCHAPTER B. - TREE AND NATURAL AREA PROTECTION, ENDANGERED SPECIES. ARTICLE 1. - TREE AND NATURAL AREA PROTECTION.

CA 1. The PUD claims Development of the Property is exempt from Chapter 25-2, Subchapter E (Design Standards and Mixed Use), Article 2.2 (Relationship of Buildings and Streets. Please clarify how this affects street tree planting options? If not complying with Subchapter E, how is the PUD proposing to be superior for street tree planting?

CA 2. To achieve compliance with Tier 1 requirement 2.3.1 H, the PUD amendment would need to exceed the minimum landscape requirement. The options proposed to do so in the table are the options that would be required to just meet the tier two requirements for the PUD and do not explain how it exceeds requirements. Please clarify specifically how the PUD will exceed the landscape requirement for tree plantings.

CA 3. To achieve Tier 2 compliance point k, please clarify how the proposed restoration of the riparian areas may include additional tree planting if nay that would not normally be required under current code.

CA 4 To achieve Tier 2 compliance point m, please clarify besides preserving 100 of the heritage trees onsite, what the PUD is committing to as opposed to considering for preservation of the 75% of protected and 75% of all other native trees onsite.

Austin Energy Review – Heidi Kasper - 512-482-5407

No comments. The applicant is going for 2-stars throughout the PUD and have identified a number of Tier 1 and Tier 2 strategies for the site that are compatible with the 2022 commercial rating.

Austin Water Utility Development Services - Bradley Barron - 512-972-0078

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extensions, system upgrades, utility relocations and or abandonments required.

Each lot in the P.U.D. shall have separate wastewater taps, separate water meters, and their respective private water and wastewater service lines shall be positioned or located in a manner that will not cross lot lines. No lot shall be occupied until the structure is connected to the City of Austin water and wastewater utility system.

The water and wastewater plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility plan must be reviewed and approved by Austin Water. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

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.

Dedication of private streets and public utility easements does not obligate the City to approve the placement of City water and wastewater mains within same. Water and wastewater service shall be provided to each lot at their Right of Way frontage.

Comprehensive Planning Review – Mark Walters - 512-974-7695

The proposed PUD meets the intent of the South Central Waterfront Vision Plan.

Drainage Engineering - Drainage Construction Review - Madison Cooper -
madison.cooper@austintexas.gov

Release of this application does not constitute a verification of all data, information, and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by city engineers.

This review was performed by an external, former DSD Drainage and Water Quality reviewer. Please note that the external reviewer is not authorized to present or communicate on behalf of the DSD DE/WQ group. Do not directly contact the external reviewers. Any questions or inquiries regarding this plan must be directed to the DSD's designated point of contact (please see the email at the top of this document).

DE1 Retaining walls is mentioned in the supporting documentation. Keep in mind that retaining walls within an easement or ROW, or a 1:1 ratio of height to distance from an easement or ROW, will require structural review from QMD. Ben Sanders is a good

contact to start the process. Typically, walls will not be allowed in a drainage easement without review and a legal document such as an easement with the wall included, license agreement or encroachment agreement that allows the wall and gives responsibility to the builder. See drainage easement with permitted obstructions and required maintenance as an example of what will be expected for structures in a drainage easement.

- DE2. An erosion hazard zone analysis will be required to ensure all structures are reasonably safe from future erosion. Bermed ponds will not be allowed in the EHZ without structural walls or protection from erosion that would likely need to be reviewed by WPD. This will also include anything that is subsurface.
- DE3 A floodplain variance will be required for the modification of the floodplain. See LDC 25-7-92 for guidance. Keep safe access, groundwater and safety measures in mind if parking is in or near the floodplain. A pump as a safety precaution may be prudent in design.
- DE4 discharge and erosion control of the WQ pond(s) will need to be coordinated with the wetlands biologist and environmental reviewer to ensure the encroachment into the critical is built with their purviews in mind.

Electric Review – Andrea Katz - Andrea.Katz@austinenergy.com

EL 1. The substation that feeds this site is over capacity and currently can't be served without a new substation.

EL 2. Note that electric easements will be required to serve this site.

Environmental Review - Mike McDougal – 512-974-6370

Thursday, June 15, 2023

EV 01 Item number 23 of the Code Modifications document proposes to modify impervious cover regulations described in LDC 25-8-63. These requirements are applicable to the calculation of impervious cover and are primarily used for assessing compliance with watershed impervious cover limits. However, this property is located in the urban watershed classification. Per LDC 25-8-372, the watershed impervious cover limit is regulated by the zoning impervious cover limit. In the comment response letter, specify the goal of modifying LDC 25-8-63. It is

possibly more advantageous, more efficient, and less subject to future PUD interpretation disagreements to modify a different Code requirement based on the intended goal.

EV 02 Provide an exhibit showing:

- the CWQZ;
- the existing development in the CWQZ; and
- the proposed development in the CWQZ.

Be sure to indicate any existing development / impervious cover that will be removed and revegetated. Additionally, be sure to label existing and proposed development type (e.g., drive aisle, open space, building, etc). This information is necessary for assessing superiority as well as possible CWQZ revegetation criteria.

Environmental Office – Leslie Lilly, Leslie.lilly@austintexas.gov

EO1 U0 Provide additional information about the green water quality controls proposed on site including the type, location, and relative water quality volume treated by type. Maximize the multiple benefits provided by green stormwater infrastructure (eg. rain gardens, vegetative filter strips) in the design of the landscaped areas. FYI, 100% of the required water quality treatment will need to be provided by green water quality controls.

EO2 U0 Incorporate light pollution reduction criteria into the project by committing to compliance with Austin Energy Green Building ST7 Light Pollution Reduction criteria as a part of achieving 2-star Austin Energy Green Building Rating.

EO3 U0 Incorporate bird friendly design criteria into the project by committing to compliance with Austin Energy Green Building STEL5 Bird Collision Deterrence criteria as a part of achieving 2-star Austin Energy Green Building Rating.

EO4 U0 Since the project is proposing several landscape enhancements, consider compliance with the proposed Functional Green standards to demonstrate the ecosystem services provided by the project through the incorporation of innovative landscape elements including but not limited to green walls and roofs, native plantings, rain gardens, porous pavement, and beneficial reuse of water for irrigation.

EO5 U0 Provide standards on plant diversity and species composition (eg. minimum of 3 native herbaceous species, all plantings native to eco region, etc.) for the planting specifications within the designated creek restoration areas.

EO6 U0 Commit to the development of a natural areas management plan, including an Integrated Pest Management Plan, for the restoration of the creek to be approved by the Director of WPD at the time of site plan approval. The plan should establish baseline maintenance practices to support a healthy riparian habitat including but not limited to the management of invasive species, establishment and monitoring of native plant community, and activities to support the health of canopy and understory trees.

EO7 U0 Demonstrate how the proposed floodplain modification in the Critical Water Quality Zone will comply with 25-8-263 *Floodplain Modification*.

EO8 U0 Provide the amount of parking area that is proposed to qualify for the exemption from impervious cover calculations as proposed with the code modification to Section 25-8-63(C) (11) *Impervious Cover Calculations*.

Fire Review - Tom Migl - 512-974-0164

June 6, 2023

No comments.

Flood Plain Review - Zach Kretsch - (512) 552-5174

UPDATE # U0

General notes: The applicant is proposing changes to the floodplain with this development however they are not proposing changes to the floodplain sections of code. There are no comments at this time.

Hydro Geologist Review - Eric Brown - 512-978-1539

FYI: Please show the location and standard 150-foot setback on all applicable exhibits during formal submittal. If a reduction of the standard 150-foot setback is requested, please submit the administrative variance form located in ECM 1.3.3.

PARD / Planning & Design Review - Thomas Rowlinson – 512-974-9372

Wednesday June 21, 2023

PR1: Confirm whether the proposed PUD will pursue superiority as it relates to parkland dedication. At minimum, Bouldin Creek must be dedicated as parkland, with sufficient acreage and area to provide improved surface trails and appurtenances. Parkland must connect to right-of-way for access.

PR2: PARD staff do not currently support the modifications to the Waterfront Overlay regulations. Contact reviewer to discuss: Thomas.rowlinson@austintexas.gov

PR3: Demonstrate how the application fulfills the South Central Waterfront Vision Plan.

Site Plan Review - Christine Barton-Holmes – christine.barton-holmes@austintexas.gov

SP 1 Please clarify if any additional restrictions, such as number or square footage, are intended for cocktail lounges.

SP 2 Will loading on internal streets be screened from public rights-of-way by buildings? Please clarify.

SP 3 Please include a graphic showing the Capitol View Corridor's intersection with the site and approximate maximum heights. A C17 Capitol View Corridor will need to be filed with the site plan, but delineation at the PUD stage will help clarify allowable heights.

SP 4 The Tier 1/Tier 2 chart indicates the PUD will comply with Subchapter E except as modified, but the Code Modification chart only says the property is exempt from 2.2, 2.3, and 2.4. What is proposed in lieu of these design standards? If there are site-specific design standards intended for the site, please indicate them.

Subdivision Review - Chris Yanez – chris.yanez@austintexas.gov

SR1: The property does not appear to be officially subdivided which may cause issues with obtaining utilities and permits. Official subdivision or qualification for an exception to subdivision (Land Status Determination) will likely be required in order to facilitate redevelopment.

Transportation - ATD Engineering Review – Bryan Golden (512) 947-9183

General Requirements and Procedures:

TPW 1. Note 16. Development of the Property is exempt from Chapter 25-2, Subchapter E (Design Standards and Mixed Use), Article 2.2 (Relationship of Buildings and Streets and Walkways), Article 2.3 (Connectivity Between Sites), and Article 2.4 (Building Entryways).

TPW response: What are the proposed alternatives?

Transportation:

TPW 2. Note 18. Section 25-6-55 (Dedication of Right-of-Way) is modified to remove the requirement to extend Texas Center Drive through the Property.

TPW may recommend pending the TIA and analysis of alternative multi-modal transportation elements.

TPW 3. Note 19. Section 25-6-381 (Minimum Frontage for Access) is modified to allow access to Congress Avenue and West Riverside Drive which are classified as a major roadway.

Response: This modification may be recommended as long as the provisions of TCM for driveways apply.

TPW 4. Note 20. Section 25-6-477 (Bicycle Parking), 25-6-478 (Motor Vehicle Reductions General), 25-6-532 (Off-Street Loading Standards), and Appendix A (Tables of Off-Street Parking and Loading Requirements) are modified such that the minimum off-street parking, bicycle parking, and loading requirements shall be consistent with market conditions and approved by the ATD Director subject to a TDM Plan approved as part of the PUD.

Response: This is too vague. Parking minimums/loading requirements may default to Ch. 25-6 Appendix A. Should the City amend parking minimums, then TDM should regulate minimums and maximums.

TPW 5. Note 21. Section 25-6-471 (Off-Street Parking Facility Required) is modified to allow shared parking for the various uses within the PUD regardless of where the use or parking is located within the PUD.

Response: This should exclude ADA parking and bicycle parking requirements, which must be as convenient as possible. (Tier II requirement: Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.)

TPW 6. Note 22. Section 25-6-532 (Off-Street Loading Standards) is modified to allow shared loading and unloading spaces for the various uses within the PUD regardless of where the use or loading and unloading is located within the PUD.

TPW Response: No objections to this modification.

TPW 7. If a site generates 5,000 or more unadjusted trips, a full traffic impact analysis and transportation demand management plan shall be required. LDC 25-6, TCM 10.2.1

Transportation assessment (TA)/ traffic impact analysis (TIA) and transportation demand management (TDM) are required and have been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the **TA/TIA/TDM**. [LDC 25-6-142]. Comments will be provided in a separate memo.

TPW 8. The TIA will not regulate driveway location and configurations. Driveway locations and configurations shall adhere to TCM standards and any roadway modifications that may be recommended by the TIA or proposed by the applicant shall be determined by TPW at the time of site plan.

TPW 9. Transportation elements and relevant code comparisons/modifications are missing from the Code Comparison Chart appendix.

TPW 10. A modification from the ASMP will be needed to waive the required the Barton Springs Road – Congress Avenue Connector.

TPW 11. Great Streets: Will internal/external street cross sections be provided? ATD recommends streetscape improvements prescribed in the South Central Waterfront Plan and ROW in accordance with the ASMP in lieu of Great Streets or Subchapter E streetscape requirements.

TPW 12. Internal streets/drives should be publicly accessible either through ROW dedication or a public access easement. Any internal street or drive that permits vehicular traffic shall not be gated or restricted unless approval by the Director is granted.

Water Quality Review - Madison Cooper - madison.cooper@austintexas.gov
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Release of this application does not constitute a verification of all data, information, and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy, and adequacy of his/her submittal, whether or not the application is reviewed for code compliance by city engineers.

This review was performed by an external, former DSD Drainage and Water Quality reviewer. Please note that the external reviewer is not authorized to present or communicate on behalf of the DSD DE/WQ group. Do not directly contact the external reviewers. Any questions or inquiries regarding this plan must be directed to the DSD's designated point of contact (please see the email at the top of this document).

- WQ1 Green infrastructure is included as a tier two requirement, however ordinance 20221027-045 requires all infrastructure to be green infrastructure. It does not appear that this will be a superiority item unless specifically addressing the ordinance language section 25-8-213(D)(3) for sites over 90% impervious cover. Language would need address this section specifically as it is a requirement for 100% of the site for site plans under 90% and a site plan is not in so it is not known if the site will be built over 90% IC. The language is less restrictive than the requirements as written.
- WQ2 For all superiority items, coordination with the office of the Environmental Officer to coordinate the determination of environmental superiority.
- WQ3 For design, keep in mind that ponds are not allowed in CWQZ per 25-8-261 unless subsection H is met.
- WQ4 Update the list of code modifications to reference LDC 25-8-63(C)(12). This section will need to be coordinated with the Environmental Officer's office as it will impact water quality sizing requirements. For all subsurface structures, keep groundwater into consideration.

Wetland Biologist Review - Leslie Lilly, Leslie.lilly@austintexas.gov

WB. No known wetlands are identified on or within 150' of the property. No comments at this time.

Zoning/Land Use Review - Sherri Sirwaitis - 512-974-3057

ZN1. The staff understands that the applicant is proposing the CS-1, Commercial-Liquor Sales District, as the baseline zoning district for the PUD. However, the applicant also states that they will be requesting additional height up to 575 feet for the PUD. The staff is still reviewing the proposed height request. Why does the applicant need almost 600 feet in height for this tract of land? This would be an increase in the height allowed at this location by 515 feet and would set a precedent for this amount of height outside of the downtown area, across Riverside Drive, within the South Central Waterfront Overlay Vision Plan. The SCW District Plan calls for a maximum of 200 feet in height for this tract of land. Please justify the need for additional FAR, building square footage and height at this location.

ZN2. What are the minimum and maximum densities (units per acre) proposed of residential, office and commercial uses within the PUD? The current Site Plan Summary Table on the proposed PUD land use plan does not provide this information.

ZN3. Is there proposed open space/parkland area within the PUD? Under proposed Code Modifications, the applicant is requesting an amendment to Chapter 25-1, Article 14 (Parkland Dedication) to state that the parkland dedication shall be satisfied in accordance with the standards outlined in the PUD. Please explain what this means and delineate this information on the land use plan. Please provide a Parks Plan Exhibit to the PUD land use plan that shows proposed parkland and open space areas and the connection points to trails or access easements.

ZN4. Is the applicant asking to waive/alter Compatibility Standards within the proposed PUD property?

ZN5. On the proposed Permitted Uses table on the draft Land Use Plan:

A) Why is the applicant requesting Outdoor Sports and Recreation and Outdoor Entertainment at this location? Is the applicant planning to develop a stadium use on this 6-acre property?

B) Does the applicant need Veterinary Services as a permitted use at this location within the inter-city? This use is meant for livestock and large animals.

C) Why is the applicant requesting to permit Recreational Equipment Maintenance and Storage and Recreational Equipment Sales for watercraft, trailers and motorhomes, etc. within this development? This property is not located directly along the waterfront.

D) Does the applicant need Vehicle Storage or Transportation Terminal uses at this location? These uses are not compatible with the proposed residential uses for this site.

ZN6. On the Tier 1/Tier 2 chart and the Code Modifications list the applicant indicates the PUD will comply with Subchapter E, except as modified. What are these modifications? Why was this information not included with the Development Assessment submittal for review and consideration by the staff?

ZN7. In the Land Use Notes on the land use plan, the applicant states that they will incorporate public art into the project. Does the applicant have a public art plan? Has the applicant met with the staff in the Art in Public Places in the Cultural Arts Division of the Economic Development Department (512-974-7700 (land line), 512-974-6379 (cell)) or at <https://www.austintexas.gov/aipp> to discuss this a public art plan or an appropriate offer for a financial contribution to the City of Austin?

ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300

FACSIMILE 512-435-2360

Richard T. Suttle, Jr.
(512) 435-2310
rsuttle@abaustin.com

November 8, 2023

Sherri Sirwaitis, Case Manager
City of Austin
Planning Department
1000 E. 11th Street, Suite 200
Austin, Texas 78702

Re: 500 South Congress Development Assessment (City Case No. CD-2023-0001) –
Additional Parcel Review

Dear Mrs. Sirwaitis:

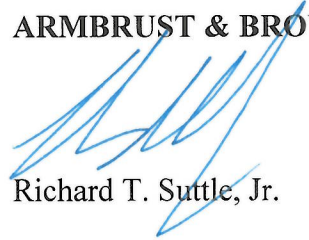
This letter is submitted to request an informal review of the parcel located at 400 South Congress Avenue as part of the Development Assessment application for 500 South Congress. The Development Assessment application was submitted in April under City Case No. CD-2023-0001 and included approximately 6.012 acres located at the southwest corner of South Congress Avenue and Riverside Drive. Our client is currently in negotiations with the owner of the Chevron gas station located at 400 South Congress Avenue and also known as TCAD Parcel ID No. 0202000120 (the “Gas Station Parcel”). Should our client acquire the property the Gas Station Parcel will be incorporated into the formal PUD application.

We hereby request that the Gas Station Parcel be reviewed informally as part of the Development Assessment application to ensure that the tract can be included in the PUD application. The Land Use Plan and corresponding exhibits have been updated to indicate that the Gas Station Parcel may be added as part of the property when the PUD application is submitted.

Please feel free to contact me with any questions or concerns regarding this request.

Very truly yours,

ARMBRUST & BROWN, PLLC



Richard T. Suttle, Jr.

cc: Joi Harden
Michael Iannacone
Dawood Rouben
Amanda Morrow
Amanda Hendrix

From: [Sirwaitis, Sherri](#)
To: [Dymkowski, Jim](#); [Kasper, Heidi](#); [Barron, Bradley](#); [Walters, Mark](#); [Cooper, Madison](#); [Katz, Andrea](#); [McDougal, Mike](#); [Lilly, Leslie](#); [Migl, Tom](#); [Kretsch, Zach](#); [Brown, Eric](#); [Rowlinson, Thomas](#); [Barton-Holmes, Christine](#); [Yanez, Chris](#); [Golden, Bryan](#)
Cc: [Whitaker, Zachary](#); [Harden, Joi](#)
Subject: Case CD-2023-0001 - Additional Information for the Development Assessment for 500 South Congress
Date: Friday, November 17, 2023 10:52:00 AM
Attachments: [500 South Congress - Letter regarding Additional Parcel.pdf](#)
[2023-11-09 PUD Exhibits.pdf](#)
[01757-Tract 2.pdf](#)
[CD-2023-0001 \(500 South Congress Staff Comment Report\) \(AutoRecovered\).doc](#)
Importance: High

Hello all,

The applicant has notified the zoning staff that they are in negotiations with the owner of the Chevron gas station property at the southwest corner of Riverside Drive and S. Congress Avenue. Therefore, they may wish to incorporate this parcel into the formal PUD application for this site in the future. So they are requesting that the staff review the gas station parcel informally as part of the Development Assessment application to ensure that this parcel can be added when the formal PUD zoning application is submitted.

Please see the Applicant's Request Letter regarding the additional parcel and the updated proposed PUD Exhibits to incorporate the parcel in the attachments above. The Zoning/Current Planning staff wants all of the reviewers to have an opportunity to consider and make comments on this additional parcel as part of this Development Assessment application.

Please review the new information for this case and e-mail me if you have any questions or comments to add to the Development Assessment report. I have attached the original Development Assessment report for this case for your use. This report will be updated with any new staff comments that you have concerning this additional parcel.

As the case manager, I ask that all reviewers let me know when you have had a chance to look at this request and if you are cleared (i.e. – satisfied with your comments in the report) so that the Development Assessment case can move forward for a briefing at the Environmental Commission and City Council.

Please let me know if you have any questions. I appreciate your help for taking the time to consider this additional information!

Thank you,

Sherri Sirwaitis

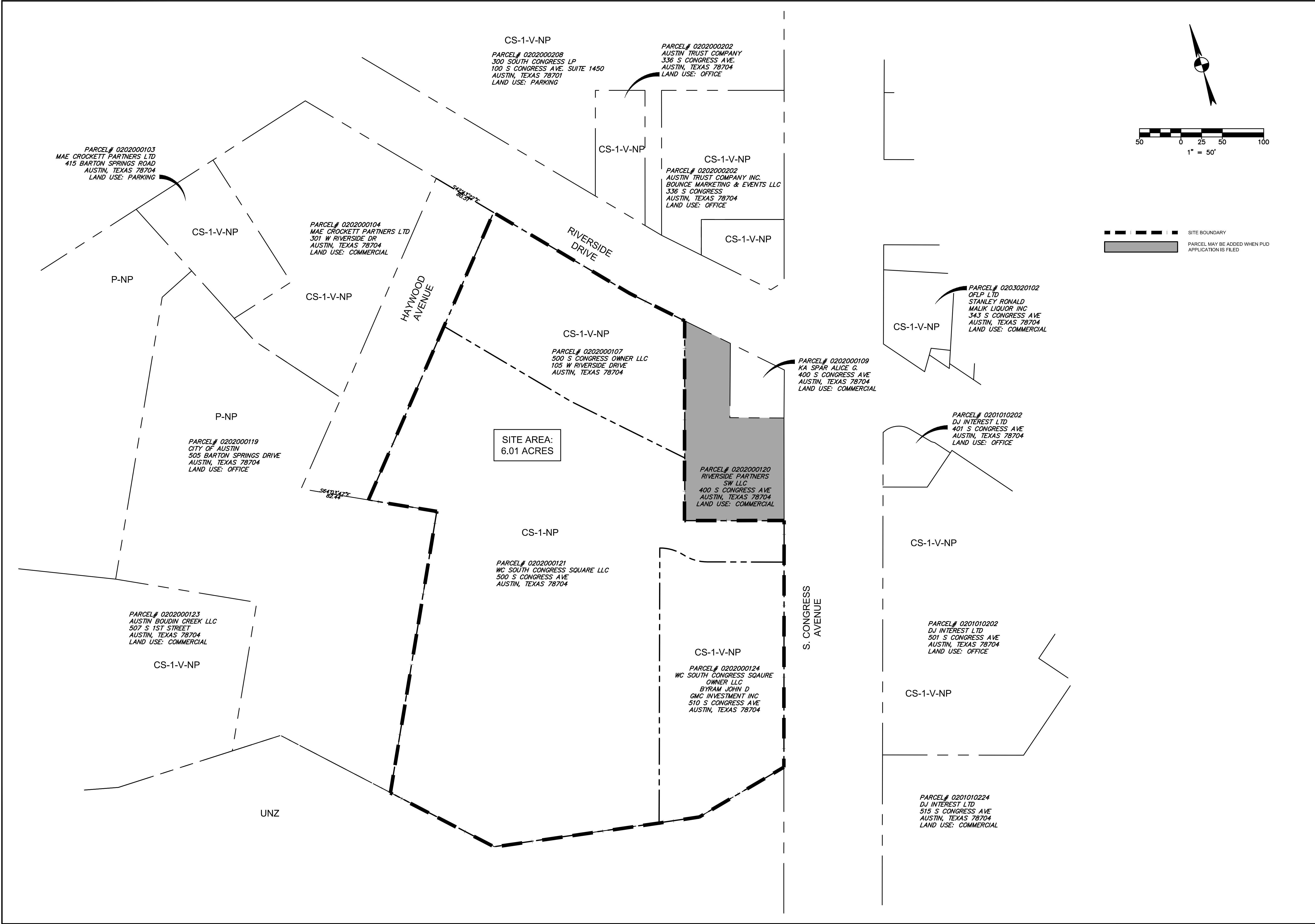
City of Austin


Planning Department

sherri.sirwaitis@austintexas.gov

512-974-3057 (office)

Please note: E-mail correspondence to and from the City of Austin is subject to required disclosure under the Texas Public Information Act.



 7708 Rialto Blvd., Suite #25 Austin, Texas 78725 Tel: (512) 298-3284 Fax: (512) 298-2592 TBPE # F-14629 GarzaEMC, LLC © Copyright, 2023	
EXISTING ZONING	
500 S. CONGRESS PUD 500 S. CONGRESS AUSTIN, TX	THE RELATED COMPANIES
DRAWN BY: DESIGNED BY: QA / QC: PROJECT NO.: 113870-0005	SHEET 01 OF 04

SITE PLAN SUMMARY TABLE	
SITE AREA (SF)	261,795.6
SITE AREA (AC)	6.01
ADDITIONAL PARCEL TO BE ADDED WHEN PUD APPLICATION IS FILED (AC)	0.46
MAXIMUM BUILDING HEIGHT (FT)	575
MAXIMUM IMPERVIOUS COVER (AC)	5.41
MAXIMUM IMPERVIOUS COVER (%)	90
MAXIMUM BUILDING COVERAGE (SF)	235,660
MAXIMUM BUILDING COVERAGE (%)	90
MAXIMUM FLOOR TO AREA RATIO (FAR)	6.11:1

Code Modifications

General Requirements and Procedures

1.Section 25-1-21(105) (Definitions, Site) is modified to allow a site to cross a public street or right-of-way.

2.Chapter 25-1, Article 14 (Parkland Dedication) is modified such that parkland dedication shall be satisfied in accordance with the standards outlined in the PUD.

Zoning

3.Section 25-2-144(D) (Planned Unit Development (PUD) District Designation) is modified to allow the PUD to include less than 10 acres.

4.Section 25-2, Subchapter B, Article 2, Division 5, Section 2.3.1(L) (Tier One Requirements) is modified to allow the PUD to include less than 10 acres.

5.Section 25-2-491(C) (Permitted, Conditional and Prohibited Uses) is modified to allow the uses provided below as permitted uses.

Permitted uses:

Bed & Breakfast (Group 1)
Bed & Breakfast (Group 2)
Condominium Residential
Multifamily Residential
Townhouse Residential
Short-Term Rental (Types 1 and 3)
Administrative and Business Office
Art Gallery
Art Work Shop
Automotive Sales
Automotive Rentals
Business or Trade School
Business Support Services
Cocktail Lounge
Commercial Off-Street Parking
Communications Services
Consumer Convenience Services
Consumer Repair Services
Convenience Storage
Electronic Prototype Assembly
Electronic Testing
Financial Services
Food Preparation
Food Sales
General Retail Sales (Convenience)
General Retail Sales (General)
Hotel-Motel
Indoor Entertainment
Indoor Sports and Recreation
Kennels
Laundry Services
Liquor Sales
Medical Offices - exceeding 5,000 sq. ft. gross floor area
Medical Office - not exceeding 5,000 sq. ft. gross floor area
Off-Site Accessory Parking
Outdoor Entertainment
Outdoor Sports and Recreation
Pedicab Storage and Dispatch
Personal Improvements Services
Personal Services
Pet Services
Professional Office
Recreational Equipment Maint. & Stor.
Recreational Equipment Sales
Research Assembly Services
Research Services
Restaurant (General)
Restaurant (Limited)
Service Station
Software Development
Theater
Vehicle Storage
Veterinary Services
Custom Manufacturing
Community Garden
Indoor Crop Production
Urban Farm
Administrative Services
Camp
Club or Lodge
College and University Facilities
Communication Service Facilities
Community Events
Community Recreation (Private)
Community Recreation (Public)
Congregate Living
Convalescent Services
Counseling Services
Cultural Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Family Home
Group Home, Class I (General)
Group Home, Class I (Limited)
Group Home, Class II
Hospital Services (General)
Hospital Services (Limited)
Local Utility Services
Maintenance and Service Facilities
Park and Recreation Services (General)
Park and Recreation Services (Special)
Private Primary Educational Facilities
Private Secondary Educational Facilities
Public Primary Educational Facilities
Public Secondary Educational Facilities
Religious Assembly
Safety Services
Telecommunication Tower
Transportation Terminal

Conditional uses:

General Warehousing and Distribution
Light Manufacturing
Limited Warehousing and Distribution

6.Section 25-2-691(C) (Waterfront Overlay (WO) District Uses) is modified to allow the uses provided below as additional pedestrian-oriented uses.

- Administrative and Business Offices
- Automotive Sales
- Automotive Rentals
- Automotive Repair Services
- Financial Services
- Hotel Motel
- Indoor Entertainment
- Indoor Sports/Recreation
- Medical Offices - exceeding 5,000 sq. ft. gross floor area
- Medical Office - not exceeding 5,000 sq. ft. gross floor area
- Personal Improvement Services
- Personal Services
- Pet Services
- Professional Office
- Recreation and Equipment Sales
- Theater
- Transportation Terminal
- Temporary Uses Described in Section 25-2-921
- Veterinary Service

Code Modifications (cont.)

7.Section 25-2-691(D) (Waterfront Overlay (WO) District Uses) is modified to allow pedestrian oriented uses above the ground floor of a structure.

8.Section 25-2-721(B) (Waterfront Overlay (WO) Combining District Regulations) is modified to allow the following improvements within the primary setback area:
Buildings, Sidewalk, Handrails, Pavers, Outdoor Recreation, Boardwalks, Green Infrastructure, Benches, Shade Structures, Site Lighting, and Landscaping.

9.Section 25-2-721(B) (Waterfront Overlay (WO) Combining District Regulations) is modified to allow a maximum of 40% percent impervious cover within the primary setback area.

10.Section 25-2-721(G) (Waterfront Overlay (WO) Combining District Regulations) is modified so that loading and unloading shall be allowed from any internal driveway and not required to be screened from public view. Loading and unloading locations on private internal driveways are subject to TDM spacing and dimensional requirements subject to ATD approval.

11.Sections 25-2-742(B)(2) (South Shore Central Subdistrict Regulations) is modified to reduce the primary setback line to an average of 70 feet from the East Bouldin Creek centerline as shown on the Land Use Plan.

12.Development of the property is exempt from Section 25-2-742(C)(2) (South Shore Central Subdistrict Regulations).

13.Section 25-2-742(E)(2) (South Shore Central Subdistrict Regulations) is modified to allow a building base wall with a maximum height of 90 feet south of Riverside Drive.

14.Development of the property is exempt from Section 25-2-742(F) (South Shore Central Subdistrict Regulations).

15.Development of the Property is exempt from the maximum height limitations established in Sections 25-2-742(G)(3) and (G)(4) (South Shore Central Subdistrict Regulations).

16.Development of the Property is exempt from Chapter 25-2, Subchapter E (Design Standards and Mixed Use), Article 2.2 (Relationship of Buildings and Streets and Walkways), Article 2.3(Connectivity Between Sites), and Article 2.4 (Building Entryways).

Site Plan

17.Section 25-5-81(B) (Site Plan Expiration) is modified such that a site plan expires eight (8) years after the date of its approval, unless Section 25-5-81 subsections (C), (D), or (E) are met.

Transportation

18.Section 25-6-55 (Dedication of Right-of-Way) is modified to remove the requirement to extend Texas Center Drive through the Property.

19.Section 25-6-381 (Minimum Frontage for Access) is modified to allow access to Congress Avenue and West Riverside Drive which are classified as a major roadway.

20.Section 25-6-477 (Bicycle Parking), 25-6-478 (Motor Vehicle Reductions General), 25-6-532 (Off-Street Loading Standards), and Appendix A (Tables of Off-Street Parking and Loading Requirements) are modified such that the minimum off-street parking, bicycle parking, and loading requirements shall be consistent with market conditions and approved by the ATD Director subject to the TDM Plan approved as part of the PUD.

21.Section 25-6-471 (Off-Street Parking Facility Required) is modified to allow shared parking for the various uses within the PUD regardless of where the use or parking is located within the PUD.

22.Section 25-6-532 (Off-Street Loading Standards) is modified to allow shared loading and unloading spaces for the various uses within the PUD regardless of where the use or loading and unloading is located within the PUD.

Environmental

23.Section 25-8-63(C)(11) (Impervious Cover Calculations) is modified to exclude a parking structure from impervious cover calculations when the parking structure is constructed below the finished grade of the land, is covered by soil having a minimum depth of two feet with an average depth of not less than four feet, and Landowner shall at the time of site plan submit documentation to the City evidencing the discharge or impoundment of groundwater from the parking structure, if any, will be managed to avoid adverse effects on public health and safety, the environment, and adjacent property. A parking structure meeting the requirements of this section may exceed 15% of the site area.

24.Section 25-8-261 (Critical Water Quality Zone Development) and the ECM are modified to allow the following improvement(s) within the Critical Water Quality Zone:

Buildings, Sidewalk, Driveways/Drop-Offs, Handrails, Pavers, Outdoor Recreation, Boardwalks, Green Infrastructure, Benches, Shade Structures, Site Lighting, Landscaping Improvements including - hard surface trails, bicycle trails, picnic facilities, playscapes and rain gardens - underground rain-water cisterns, stormwater outfall structures, concessions, food and beverage vendors, bicycle rentals, sports equipment rentals, dining facilities, performance and special events facilities, boardwalks, sidewalks, pavilions, exercise equipment and courses.

Signage

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

LAND USE NOTES:

1. THE SIZE, CONFIGURATION AND LOCATION OF THE DRIVEWAYS AS SHOWN HEREON IS AN APPROXIMATION FOR ILLUSTRATION PURPOSES. THE OWNER WILL ESTABLISH AND SET FORTH THE SIZE, CONFIGURATION AND LOCATION OF THE DRIVEWAYS AT THE TIME OF SITE DEVELOPMENT PERMIT.
2. AN INTEGRATED PEST MANAGEMENT PLAN WILL BE IMPLEMENTED FOLLOWING THE GUIDELINES DEVELOPED BY THE CITY OF AUSTIN GROW GREEN PROGRAM.
3. THIS PUD WILL COMPLY WITH THE AUSTIN ENERGY GREEN BUILDING PROGRAM TO ACHIEVE A MINIMUM OF A 2-STAR RATING.
4. THE PUD WILL INCORPORATE PUBLIC ART INTO THE PROJECT.
5. THE PUD SHALL UTILIZE GREEN WATER QUALITY CONTROLS AS DESCRIBED IN THE ENVIRONMENTAL CRITERIA MANUAL TO TREAT A MINIMUM OF 50% OF THE WATER QUALITY VOLUME REQUIRED BY CODE.
6. 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.
7. EXCEPT WHERE MODIFIED HEREIN, DEVELOPMENT WITHIN THE PUD SHALL BE SUBJECT TO SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE).
8. IMPERVIOUS COVER, BUILDING COVER AND FLOOR TO AREA RATIO IS BASED ON GROSS SITE AREA OF ALL LAND WITHIN THE PUD.
9. IMPERVIOUS COVER, BUILDING COVER AND FLOOR TO AREA RATIO WILL BE HIGHER BASED ON PARCEL BY PARCEL CALCULATION.



GENERAL NOTES

500 S. CONGRESS PUD PUD
500 S. CONGRESS AUSTIN, TX

THE RELATED COMPANIES

DRAWN BY:

DESIGNED BY:

QA / QC:

PROJECT NO.: 113870-0-0005

SHEET

04

OF

04

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 0.4733 ACRE (20,619 SQUARE FEET), OUT OF THE ISAAC DECKER LEAGUE, ABSTRACT NO. 8, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 0.472 ACRES TRACT CONVEYED TO RIVERSIDE PARTNERS SW, LLC IN DOCUMENT NO. 2020142997 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.P.R.T.C.T.), SAID 0.4733 ACRE BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:



PO Box 90876
Austin, TX 78709
(512) 537-2384
jward@4wardls.com
www.4wardls.com

BEGINNING, at a cotton spindle found in the south right-of-way of Riverside Drive (right-of-way varies), being common north corner of said Riverside Partners SW tract and a called 6.0102 acres tract conveyed to 500 South Congress Owner, LLC in Document No. 2022159125 (O.P.R.T.C.T.) and being the northwest corner and **POINT OF BEGINNING** hereof, from which a cotton spindle found (from which a nail found bears, N28°23'35"W, a distance of 0.04') being an angle point in the south right-of-way line of said Riverside Drive bears, N46°52'07"E, a distance of 74.02 feet;

THENCE, leaving the east line of said 500 South Congress Owner tract, with the south right-of-way line of said Riverside Drive and the north line of said Riverside Partners SW tract, **S47°12'04"E**, a distance of **61.49** feet to an "X" cut in concrete found for the most northerly northeast corner hereof, being the common north corner of said Riverside Partners SW tract and a called 1,453 square feet tract conveyed to Kathrin L. Gann, Trustee of the Leigh Family Trust in Volume 11485, Page 278 of the Real Property Records of Travis County, Texas (R.P.R.T.C.T.), said 1,453 square feet tract described in Volume 3919, Page 1932 of the Deed Records of Travis County, Texas (D.R.T.C.T.), from which a punch hole in concrete found for the northeast corner of said Leigh Family Trust tract, being the intersection of the south right-of-way line of said Riverside Drive and the west right-of-way line of South Congress Avenue (120' right-of-way) bears, S47°14'04"E, a distance of 72.63 feet;

THENCE, leaving the south right-of-way line of said Riverside Drive, with the common line of said said Riverside Partners SW tract and said Leigh Family Trust tract, the following two (2) courses and distances:

- 1) **S16°37'48"W**, a distance of **90.13** feet to a Mag nail with washer stamped "RPLS 5907" found for an angle point hereof,
- 2) **S73°28'12"E**, a distance of **65.21** feet to a Mag nail with washer stamped "RPLS 5907" found for the most southerly northeast corner hereof, being in the west right-of-way line of said South Congress Avenue, and being the common east corner of said Riverside Partners SW tract and said Leigh Family Trust tract;

THENCE, leaving the south line of said Leigh Family Trust tract, with the west right-of-way line of said South Congress Avenue and the east line of said Riverside Partners SW tract, **S16°36'41"W**, a distance of **124.09** feet to a broken nail found for the southeast corner hereof, being the common east corner of said Riverside Partners SW tract and said 500 South Congress Owner tract;

THENCE, leaving the west right-of-way line of said South Congress Avenue, with the common line of said Riverside Partners SW tract and said 500 South Congress Owner tract the following two (2) courses and distances:

- 1) **N73°24'29"W**, a distance of **120.10** feet to a 1/2-inch iron rod found for an angle point hereof,

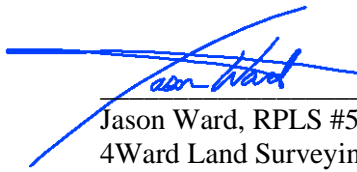
- 2) **N16°33'00"E**, a distance of **241.30** feet to the **POINT OF BEGINNING** and containing 0.4733 Acre (20,619 Square Feet) of land, more or less.

Notes:

All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203); all distances were adjusted to surface using a combined scale factor of 1.000023207213. See attached sketch (reference drawing: 01757.dwg.)

References:

TCAD #188628
COA GRID # J-21

 **10/31/2023**
Jason Ward, RPLS #5811
4Ward Land Surveying, LLC

