ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 821104-F TO MODIFY THE LAND USE PLAN AND CHANGE CONDITIONS OF ZONING FOR A PORTION OF THE PROPERTY COMMONLY KNOWN AS LAKE AUSTIN COMMONS PLANNED UNIT DEVELOPMENT AND REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1717 WEST 6TH STREET AND 506 CAMPBELL STREET IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) DISTRICT, TO CHANGE CONDITIONS OF ZONING.

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

- **PART 1.** Lake Austin Commons Planned Unit Development (Lake Austin Commons PUD) was approved November 4, 1982, under Ordinance No. 821104-F ("Original Ordinance"), and amended under Ordinance Nos. 840607-F, 900628-B, 920528-J, and 20060727-122 ("Original Ordinance as amended").
- **PART 2.** Lake Austin Commons PUD is comprised of approximately 4.326 acres of land located generally at 1717 West 6th Street, 1703 West 5th Street, and 506 Campbell Street, as more particularly described in the land use plan incorporated into the Original Ordinance as amended.
- **PART 3.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development-neighborhood plan (PUD-NP) district to planned unit development-neighborhood plan (PUD-NP) district on a portion of the property described in Ordinance No. 821104-F, generally known as Lake Austin Commons PUD, the portion of the property subject to this amendment being approximately 3.399 acres, described in Zoning Case No. C814-82-006.02(83), on file at the Planning Department, as follows:
 - LOT 1, LAKE AUSTIN COMMONS, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 83, Page 58C, of the Plat Records of Travis County, Texas (the "Property"),
- locally known as at 1717 West 6th Street and 506 Campbell Street, and generally identified in the map attached as **Exhibit "A"**.

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

PART 4. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

Exhibit A: Zoning Map

Exhibit B: Amended Land Use Plan

PART 5. This ordinance and the attached Exhibit "A" – Zoning Map and Exhibit "B" – Amended Land Use, amend the Original Ordinance as amended for the Property and constitute the land use plan for the Property. The Property shall conform to the limitations and conditions set forth in this ordinance and the amended land use plan. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise specifically modified by this ordinance, all other rules, regulations, and ordinances of the City of Austin ("City") apply to the Property.

PART 6. Definitions.

- (A) In this ordinance, LANDOWNER means the owner of the Property, or the owner's successors and assigns, or the owner of the Property or that portion of the Property at the time of dedication or transfer to City. Landowner does not include City.
- (B) In this ordinance, EXISTING PARKING GARAGE means the above grade parking structure as constructed on the Property as of the date of this ordinance.
- (C) Unless otherwise specifically defined, all terms in this ordinance shall have the meaning established in Title 25 of Code of the City of Austin, Texas (the "Land Development Code")

PART 7. Land Use and Site Development Standards.

The Property within the boundaries of the planned unit development (PUD) combining district established by this ordinance is subject to the following conditions:

- (A) Except as specifically modified by this ordinance or the Land Use Plan, the Property shall be developed in accordance with the regulations applicable in the general commercial services (CS) zoning district.
- (B) The following uses are additional permitted uses of the Property:

Cocktail Lounge not to exceed Condominium Residential

7500 square feet

Multifamily Residential Outdoor Sports and Recreation not

to exceed 25,000 square feet

Townhouse Residential

78 79

80 81

82 83 (C) The following uses are prohibited uses of the Property:

Adult Oriented Business Alternative Financial Services Automotive Repair Services Automotive Washing (of any type) Bed & Breakfast (Groups 1 & 2) Campground Convenience Storage **Drop-Off Recycling Collection Facility Equipment Repair Services Exterminating Services** Kennels Limited Warehousing and Distribution **Outdoor Entertainment** Research Services Short Term Rental (Types 1, 2,

and 3)

Agricultural Sales and Services Automotive Rentals Automotive Sales Bail Bond Services Building Maintenance Services Construction Sales and Services Custom Manufacturing Electronic Prototype Assembly

Equipment Sales
Funeral Services
Laundry Services
Monument Retail Sales

Pawn Shop Services Services Station

- (D) Indoor Crop Production use is a conditional use of the Property.
- (E) Lake Austin Commons PUD may include no more than one cocktail lounge limited to 7,500 square feet. The cocktail lounge shall not be located in the Existing Parking Garage on the Property and shall not front West 6th Street. Public access from West 6th Street to a cocktail lounge use is prohibited.
- (F) One Outdoor Sports and Recreation use is permitted on the Property subject to the following limitations:
 - (1) The hours of operation for the Outdoor Sports and Recreation are limited to 8:00 AM to 10:00 PM.
 - (2) Parking for the Outdoor Sports and Recreation use is limited to the parking garage.
 - (3) The Outdoor Sports and Recreation use must be located:
 - (a) On the top floor or rooftop of the Existing Parking Garage; or

- (b) If the Existing Parking Garage modified to add additional floors, anywhere on the Property except the new top floor or rooftop of the parking garage as modified.
- (4) The use of sound equipment for the Outdoor Sports and Recreation use is prohibited.
- (5) Any Outdoor Sports and Recreation use may not resume operations until the requirements in Part 8 have been satisfied.
- (G) If the Existing Parking Garage is modified to add additional floors, the rooftop space of the garage as modified shall be limited to accessory uses. For purposes of this section, the 10 percent limitation for accessory uses established in City Code Section 25-2-894 (*Accessory Uses for a Principal Commercial Use*), Subsection (B)(2), shall not apply.
- (H) The maximum height of a building or structure is 90 feet plus additional height allowed by Section 25-2-531 (*Height Limit Exceptions*).
- (I) Development of the Property shall not exceed a floor to area ratio of 2 to 1.

PART 8. Building and Design Standards.

- (A) <u>Lighting</u>. Landowner shall comply with the following lighting requirements:
 - (1) Landowner shall meet the Austin Energy Green Building Star Rating System Light Pollution Reduction Criteria ST7 as outlined in the 2022 Commercial Rating System (or latest applicable version) for all buildings and site lighting.
 - (2) For any Outdoor Sports and Recreation use, Landowner shall comply with the City's Dark Sky regulations as follows:
 - (a) Use of low Kelvin rated lights (3000 Kelvin or less) for outdoor lighting;
 - (b) Outdoor light visible north of West 6th Street shall be shielded on all four sides of the light source;
 - (c) Exterior lighting may not exceed 0.0 foot candles beyond West 6th Street.

- (d) Focus light on activity and use activity appropriate lighting.
- (B) Sound Barrier required for Outdoor Sports and Recreation Use.
 - (1) If the Outdoor Sports and Recreation use is located on the top floor or rooftop of the Existing Parking Garage:
 - (a) A 10 foot sound barrier shall be installed on the top floor or rooftop of the Existing Parking Garage, extending horizontally along the entire length of the building facing 6th Street and along the entire building facing Mopac Expressway. The sound barrier shall:
 - (i) Extend 10 feet vertically from the floor plate of the top floor of the Existing Parking Garage;
 - (ii) Be composed of a continuous, soundproofing material that is one pound per square foot or greater to reduce noise;
 - (iii) Not be mounted atop the existing parapet of the parking garage; and
 - (iv) Satisfy the requirements of any necessary permit or approval as required by City.
 - (2) If the Outdoor Sports and Recreation use is not located on the top floor or rooftop of the Existing Parking Garage in accordance with Part 7, Subsection (F)(3)(ii) of this ordinance:
 - (a) A 10 foot sound barrier shall be installed on the Property separating the Outdoor Sports and Recreation use from the western Property line and West 6th. The sound barrier shall:
 - (i) Extend 10 feet vertically from the grade level of the Outdoor Sports and Recreation use;
 - (ii) Be composed of a continuous, soundproofing material that is one pound per square foot or greater to reduce noise;
 - (iii) Not be located further than 20 feet from the Outdoor Sports and Recreation Use; and

(iv) Satisfy the requirements of any necessary permit or approval as required by City.

PART 9. Affordable Housing.

- (A) If residential units are included on the Property, Landowner shall satisfy the affordable housing requirement as set out in this Part 9.
- (B) Landowner shall provide 10 percent of the total residential units on the Property as affordable units.
- (C) An affordable unit constructed on the Property is subject to the following:
 - (1) Affordable Rental Units-
 - (a) An affordable rental unit shall be reserved as affordable for a minimum of 40 years following the issuance of the certificate of occupancy.
 - (b) An affordable rental unit shall be made available to a household earning 80 percent or less of the current Austin-Round Rock Metropolitan Statistical Area Median Family Income as determined by the Director of the Housing Department.
 - (c) A fee in-lieu of this on-site affordability requirement is not permitted.
 - (2) Affordable Owner-Occupied Units-
 - (a) An affordable owner-occupied unit shall be reserved as affordable for a minimum of 99 years following the issuance of the certificate of occupancy.
 - (b) An affordable owner-occupied unit shall be made available to a household earning 80 percent or less of the current Austin-Round Rock Metropolitan Statistical Area Median Family Income as determined by the Director of the Housing Department.
 - (c) A fee in-lieu of this on-site affordability requirement is not permitted.

(D) To satisfy the affordable housing requirements, Landowner must comply with Division 1 (*General Provisions*), Article 2 (*Density Bonus and Incentive Programs*) of Chapter 4-18 before applying for a site plan or building permit that relies on code modifications as described in Part 12 (*Code Modifications*) of this ordinance. Section 4-18-22 (*Pre-Certification Requirement*) shall not apply.

PART 10. Environmental.

- (A) Landowner shall provide and maintain water quality controls in accordance with Chapter 25-8, Subchapter A, Article 6 (*Water Quality Controls*) of City Code Title 25 in effect at the time of site plan submittal.
- (B) Any structure built above the height of the existing building on the Property must achieve a Threat Factor of 30 or less across each new building facade as defined by the American Bird Conservancy (ABC) Bird Collision Deterrence: Summary of Material Threat Factors dated October 2011.

PART 11. Community Benefits.

- (A) Landowner shall allow persons living within the Old West Austin Neighborhood Planning Area to use the existing first floor coworking space, as available, at a rate that is 50 percent less than required of the general public. The existing coworking space may be modified or eliminated.
- (B) Landowner shall allow persons living within the Old West Austin Neighborhood Planning Area use of the first floor conference room, as available, free of charge. The existing first floor conference room may be modified or eliminated.
- (C) Landowner shall contribute to City, an amount equal to 25 percent of the total project costs or \$250,000.00 dollars, whichever amount is less, towards costs to improve the Johnson Creek Trail from West 5th Street to the Butler Trail ("Butler Trail Contribution"). Landowner's obligation to remit Butler Trail Contribution is contingent upon City, or City in coordination with a non-profit, beginning construction of improvements within three years of the effective date of this ordinance. Landowner shall deliver to City the total amount of Butler Trail Contribution within 90 days of City's written request to Landowner for Butler Trail Contribution. City's written request to Landowner will include an estimate for total project costs.

(D) The landowner will work with the City of Austin Transportation and Public Works Department to restrict vehicle access from the existing above grade parking garage to north West 6th Street.

PART 12. Code Modifications.

In accordance with City Code Chapter 25-2, Subchapter B, Article 2, Division 5, Section 2.2, Council modifies the following site development regulations which shall apply to the PUD instead of otherwise applicable City regulations:

(A) General Requirements and Procedures

City Code Section 25-2-144(D) (*Planned Unit Development (PUD*) District Designation) and 25-2, Subchapter B, Article 2, Division 5, Section 2.3.1(L) are modified to allow Lake Austin Commons PUD to include less than 10 acres of land without being characterized by special circumstances.

(B) Zoning

- (1) Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) is modified to establish the specific set of permitted, conditional, and prohibited uses on the Property in Part 7.
- (2) Section 25-2-492 (*Site Development Regulations*) is modified to establish the principal site development regulations applicable to the Property in Part 7.
- (3) Section 25-2-894 (*Accessory Uses for a Principal Commercial Use*) is modified to eliminate the 10% limitation for accessory uses for the uses described in Part 7(G).
- (C) Except as provided in Subsection (D), an existing building on the Property is subject to City Code in effect on August 7, 2006, unless:
 - (1) New development is 125,000 square feet or more; or
 - (2) An existing building is demolished in its entirety.
- (D) An existing building is subject to the rules and regulations in City Code Chapter 25-8 (*Environment*) in effect on the effective date of this ordinance and as may be amended from time to time.

. 2025.

PART 13. Except as specifically modified by this ordinance, the Property is subject to Ordinance No. 020926-26 that established zoning for the Old West Austin Neighborhood Plan.

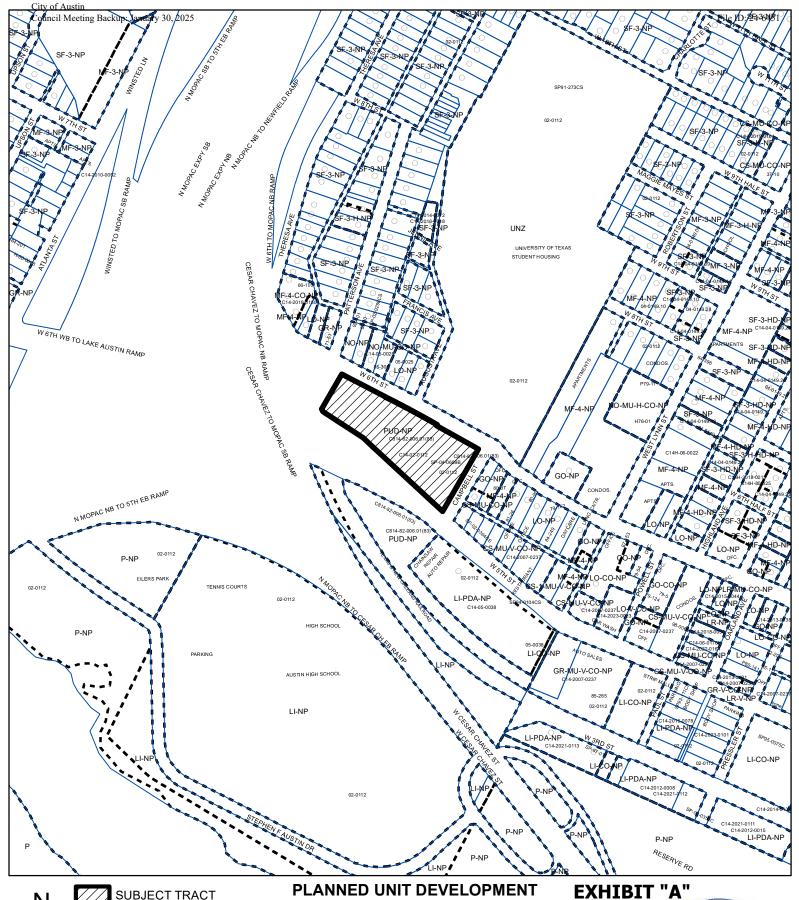
PART 14. Except as otherwise specifically provided for in this ordinance, the terms and conditions of the Original Ordinance as amended, remain in effect. If this ordinance and the Original Ordinance as amended, conflict, this ordinance controls.

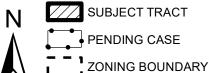
PART 15. Council makes the following findings:

PART 16. This ordinance takes effect on

- (A) Lake Austin Commons PUD provides superiority and meets the objectives of City Code;
- (B) the code modifications in Part 12 are necessary to provide community benefits and achieve greater consistency with planning goals than is achievable without approving the code modifications; and
- (C) the impacts of the code modifications are offset by the imposed site development requirements applicable to the Property.

PASSED AND APPROVED , 2025	\$ \$ \$
	Kirk Watson
	Mayor
APPROVED:	_ATTEST:
Deborah Thomas	Myrna Rios
Interim City Attorney	City Clerk





PLANNED UNIT DEVELOPMENT

ZONING CASE#: C814-82-006.02(83)

NDED

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.



1 " = 400 '

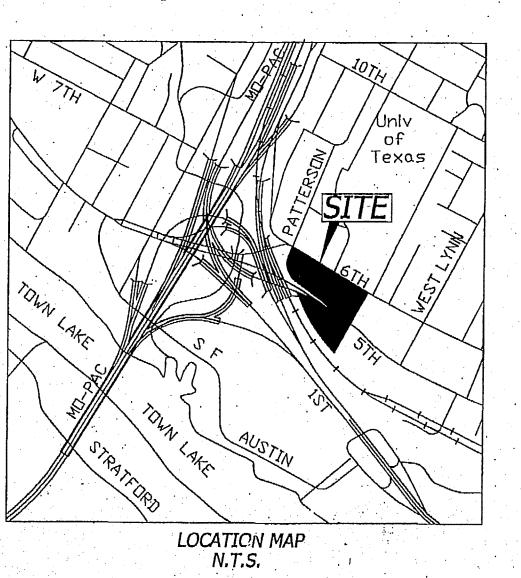
OWNER:

City of Austin Council Meeting Backup: January 30, 2025

LAKE AUSTIN COMMONS, LTD. 1717 WEST 6TH STREET, SUITE 390 AUSTIN, TEXAS 78703 512.477.1312

P.U.D. SITE PLAN LAKE AUSTIN COMMONS

1717 W. 6TH STREET AUSTIN, TEXAS 78703



No.	Description	Revise(R)/ Add(A) Sheet No.'s	Total # Sheets in Plan Set	Change	Site Imp. Cover	% Site Imp. Cover	Approved/Date
1	RECONFIG. OF LANDSCAPING PAVERS & PLANTERS OVER EXIST. IMP. COVER IN OUTDOOR PLAZA						5-17-93
2	REMODEL 1,945 SF. OF RETAIL INTO MEDICAL OFFICE			-			9-1-93
3	ADDED 6' DIA. SATELLITE ANTENNA ON ROOF OF PHASE 1 BUILDING		•			•	1-10-94
4	USE CHANGE OF 330 SF. OF RETAIL TO FOOD SALES CORRECTED PARKING TABLE						6-28-96
5	REMODEL LOBBY AND ENLCOSE 450 SF. FOR LOBBY EXPANSION CORRECTED PARKING TABLE						10-22-02
6	AFFER FUD. CLARIFY I.C. TABLE, ADD SHT. Z6	2,3,4, 7, 12,13,14,15, 16,7,20,21, 22,24,24,1	26	NA	N. D		Welche .
7	REVISION SHE PLAN FOR PHASE 4	2,3,15,14 17,18,20,21 22,23,24,29	27 21	AlA	NA	٠.	7/16/07 June
8	Reside Site Plan for Mase 4	2322		MA	MAY	7	maga Celizios
9	REVISE SITE PLAN 1	2, 3, 27, 28	28	N/A	N/A	3	1
J	mmm	سب	w	w	w	9	
-							
		·	.		. 1	1	

No.	- Description	Revise(R), Add(A) Sheet No.'s	Total # Sheets In Plan Set	Net Change Imp. Cover	Site Imp. Cover	% Site imp. Cover	Approved/Date
1							12-12-86
٤ .	•						4-7-87
3	!						6-28-90
4							7-2-92
- 5	REVISED PHASING , PARKING TABLES BUILDING ELEVATIONS ORGANIZED SHEET ORDER	ADDED SHEET 1,13,&19 REVISED ALL OTHERS REVISED 2, 3, 12, 13, 14, 17	25	-0-			12-21-04
6	CHANGED USE ON 1ST FLOOR GARAGE AND ADDED 1 PARKING SPACE	REVISED 2, 3, 12, 13, 14, 17	25	+167 SF			10-19-05
7	REVISED PARKING AND PHAS, IG TABLES	REVISED 2, 3, 13, 14, 17	25	-0-			
•							
				•			
			·				
•					•		
						·	<u> </u>

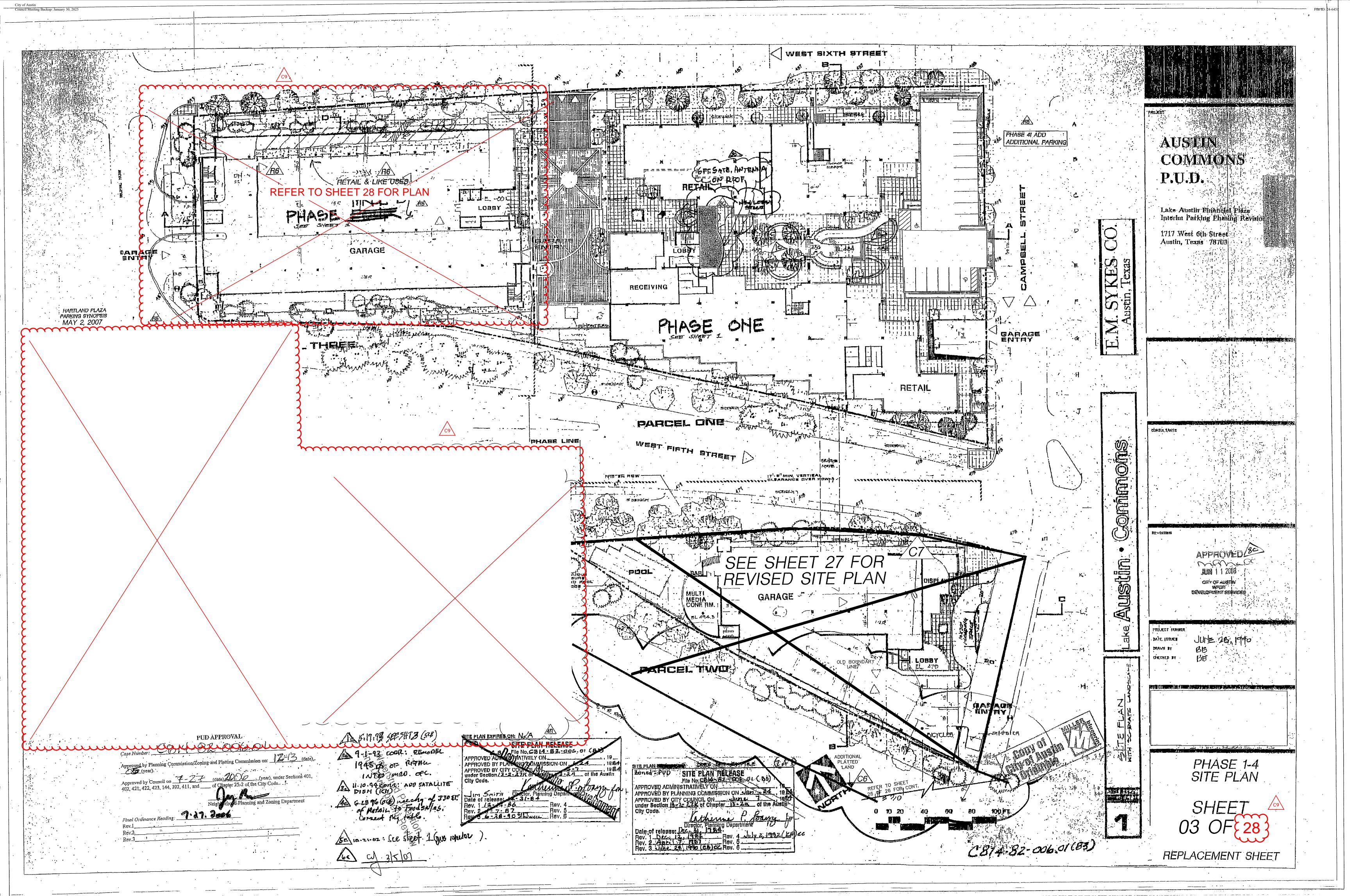
INDEX OF SHEETS

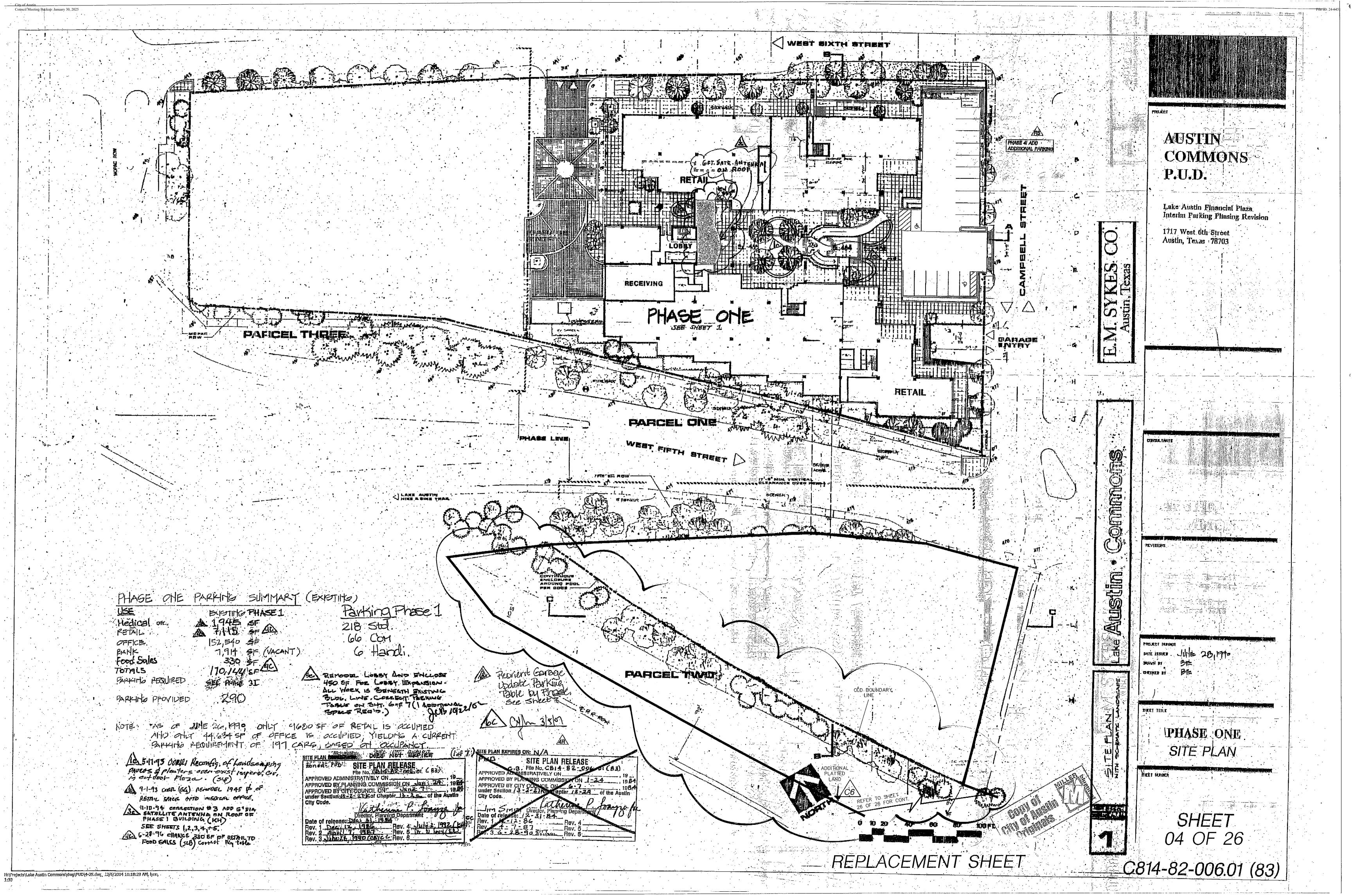
- 1. COVER SHEET
- 2. PHASE 1-4 SITE PLAN (REVISION 2)
- 3. PHASE 1-4 SITE PLAN
- 4. PHASE 1 SITE PLAN
- 5. PHASE 1 SITE PLAN (ENLARGED)
- 6. PHASE 1 LANDSCAPE PLAN
- 7. PHASE 2 SITE PLAN
- 8. PHASE 2 LANDSCAPE PLAN
- 9. PHASE 2 SITE GRADING PLAN
- 10. PHASE 2 SITE GRADING DETAILS
- 11. PHASE 2 GENERAL DETAILS
- 12. PHASE 1 AND 2 REVISED SITE PLAN
- 13. PHASE 3-A SITE PLAN
- 14. PHASE 3-B SITE PLAN
- 15. PHASE 4-I SITE PLAN
- 16. PHASE 4-I LANDSCAPE PLAN
- 17. PHASE 4 SITE PLAN
- 18. BUILDING CROSS SECTIONS (ULTIMATE)
- 19. PHASE 3-A BUILDING SECTIONS
- 20. BUILDING FOOTPRINTS
- 21. BUILDING FOOTPRINTS
- 22. BUILDING FOOTPRINTS
- 23. BUILDING FOOTPRINTS
- 24. BUILDING FOOTPRINTS
- 25. BUILDING FOOTPRINTS
- 26. LAKE AUSTIN COMMONS II FINAL PLAT 27. PHATE 4 SITE PLAN (ZEVIJED)

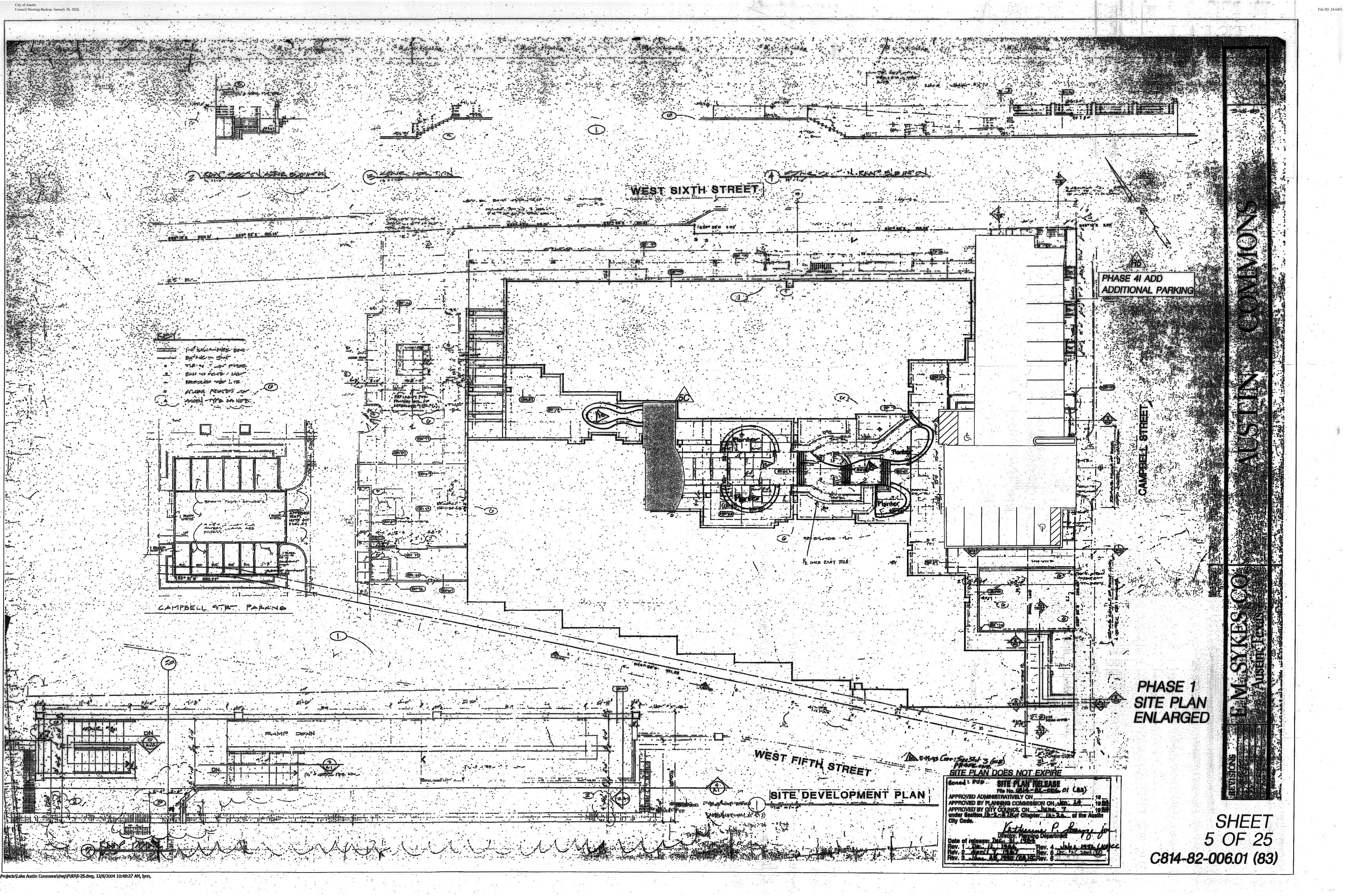
Final Ordinance Reading. 7.27.2006

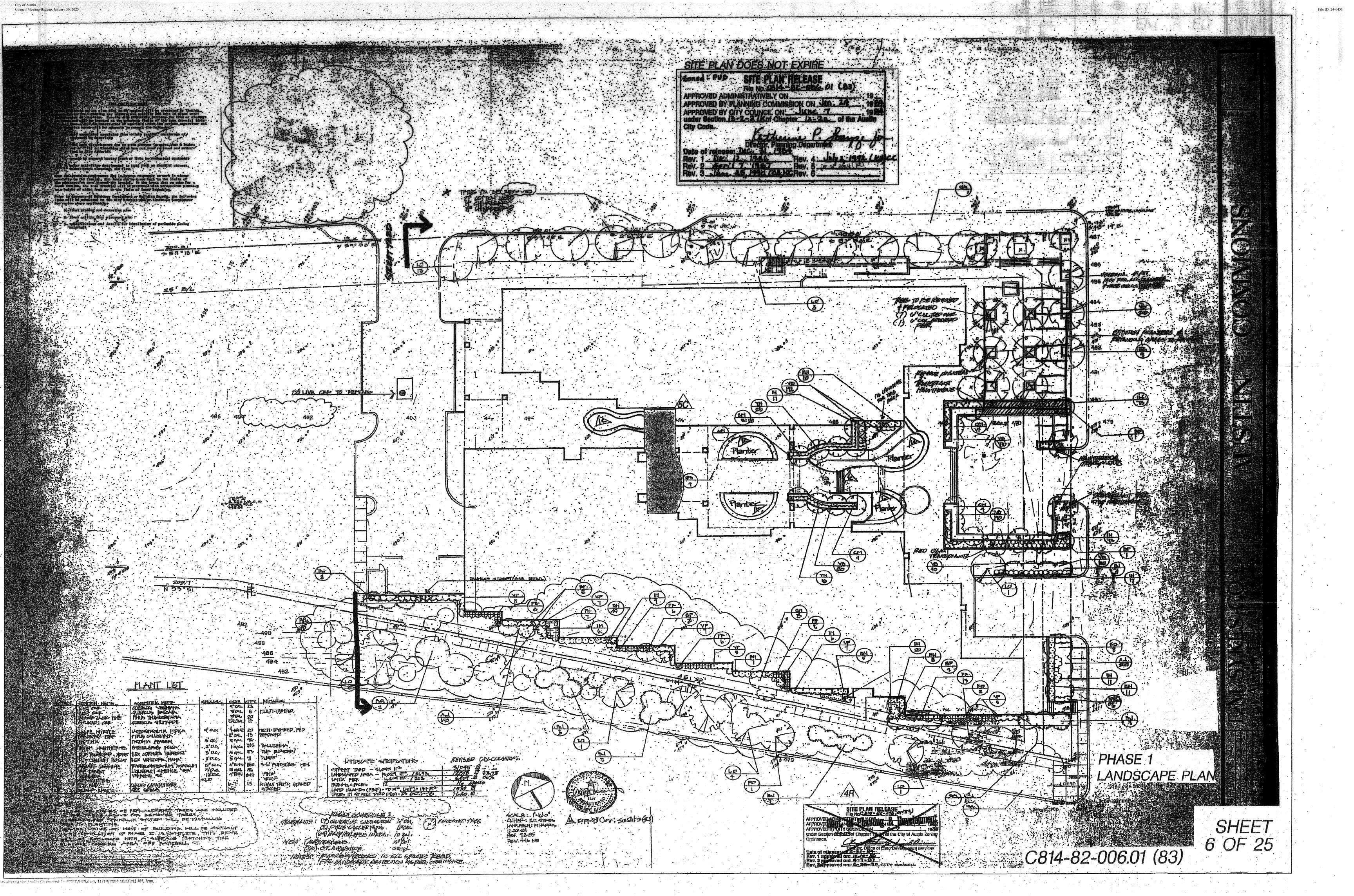
SHEET 1 OF 28

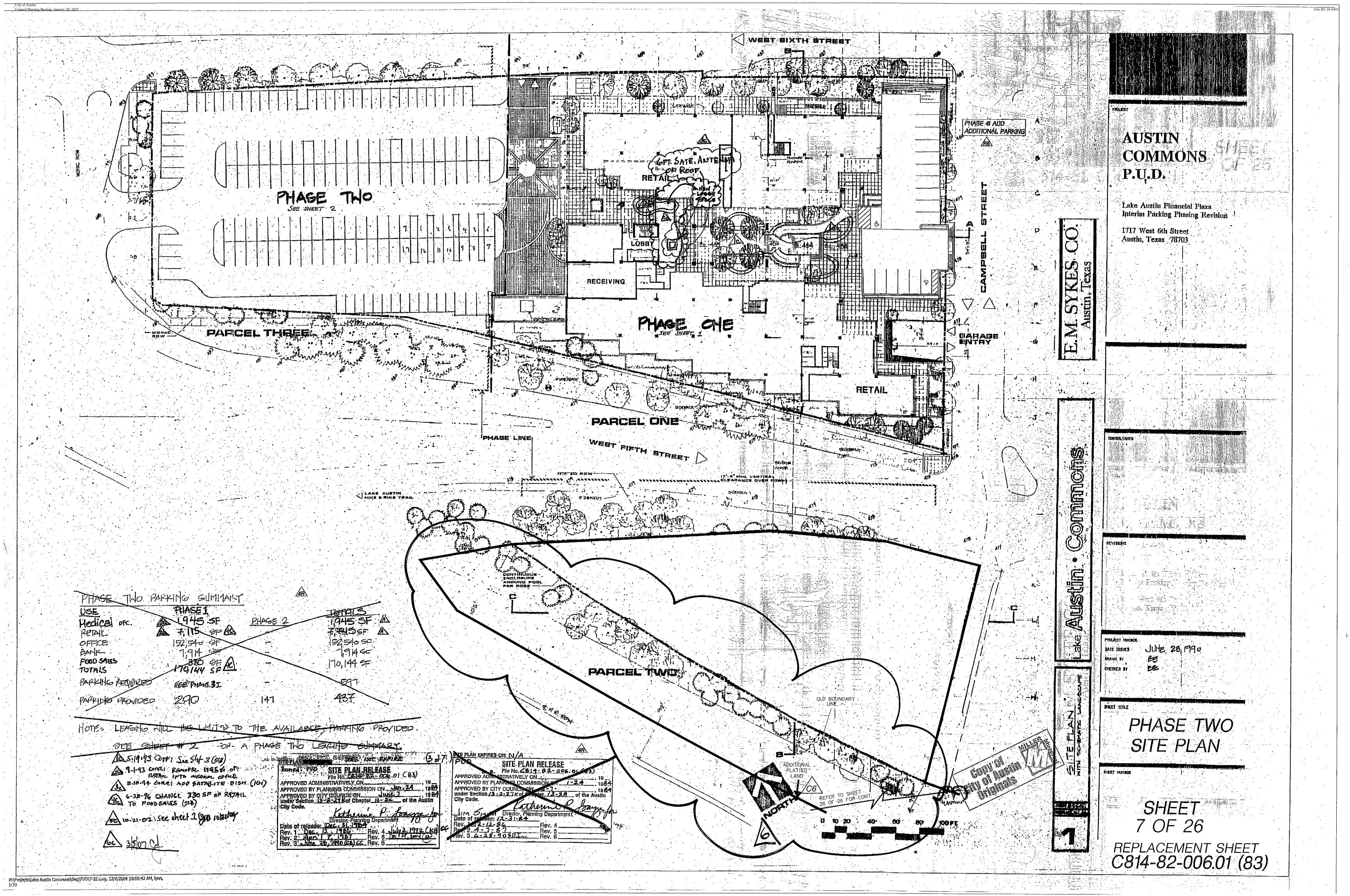
C814-82-006.01 (83)

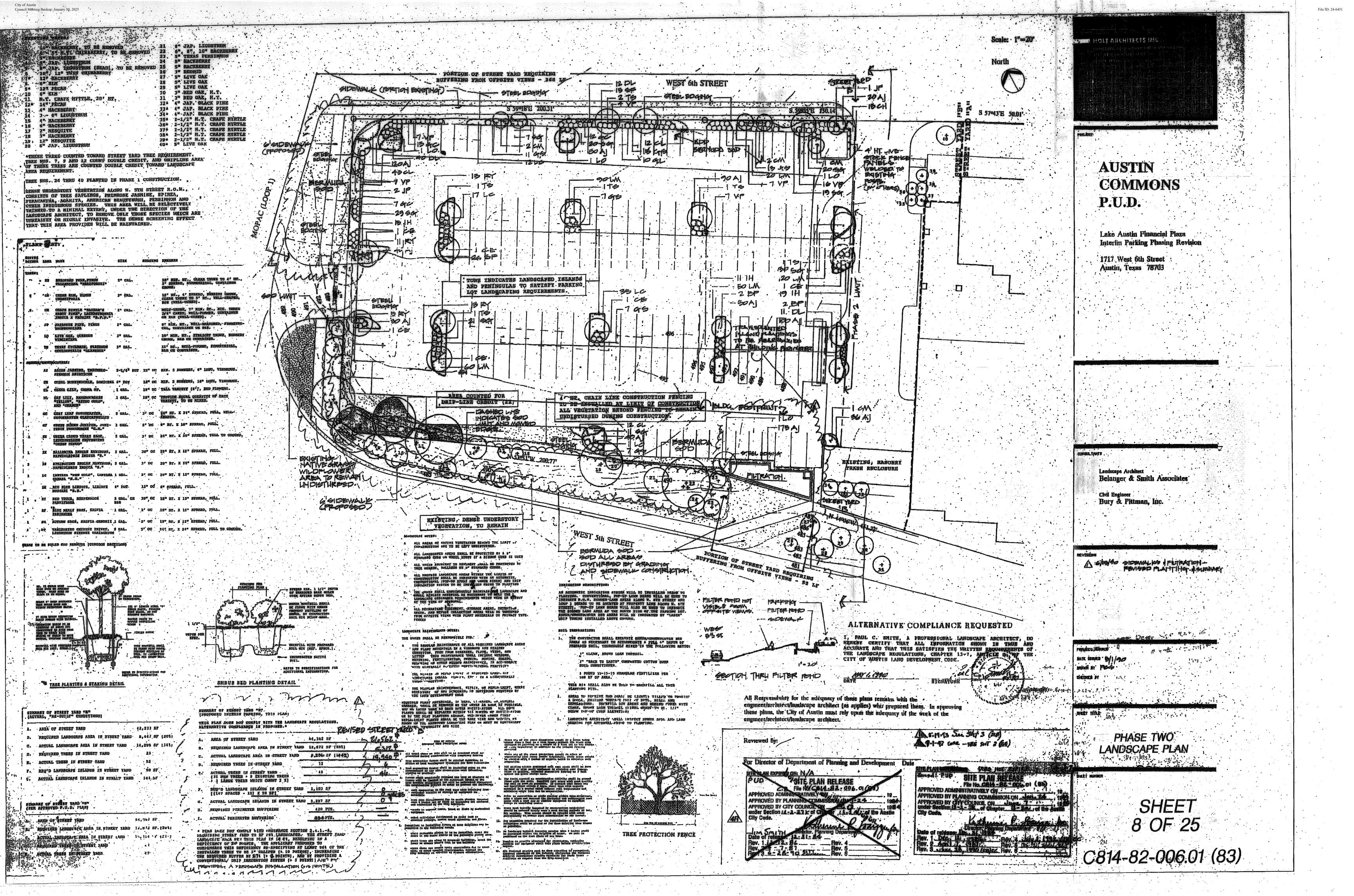


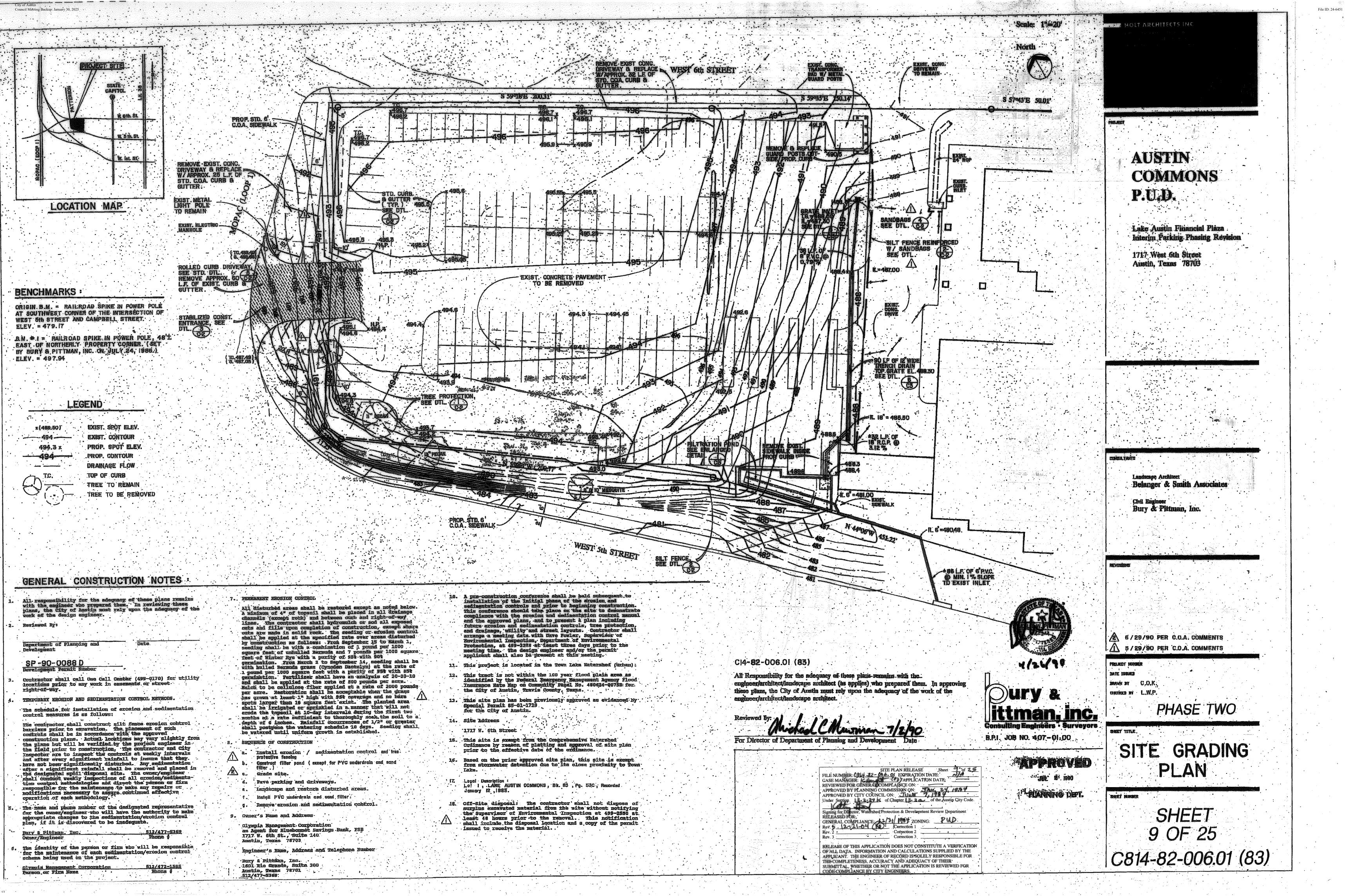


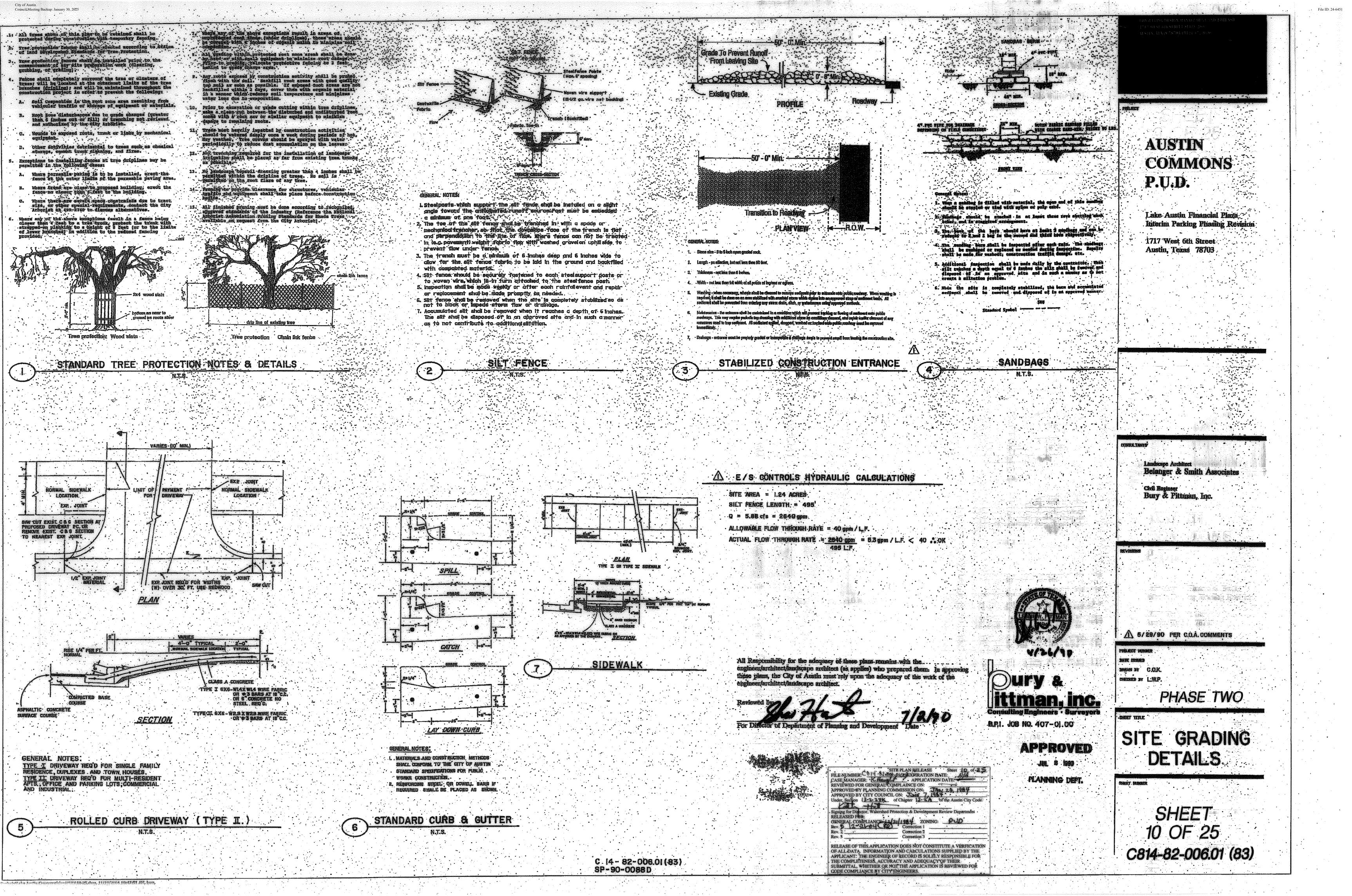


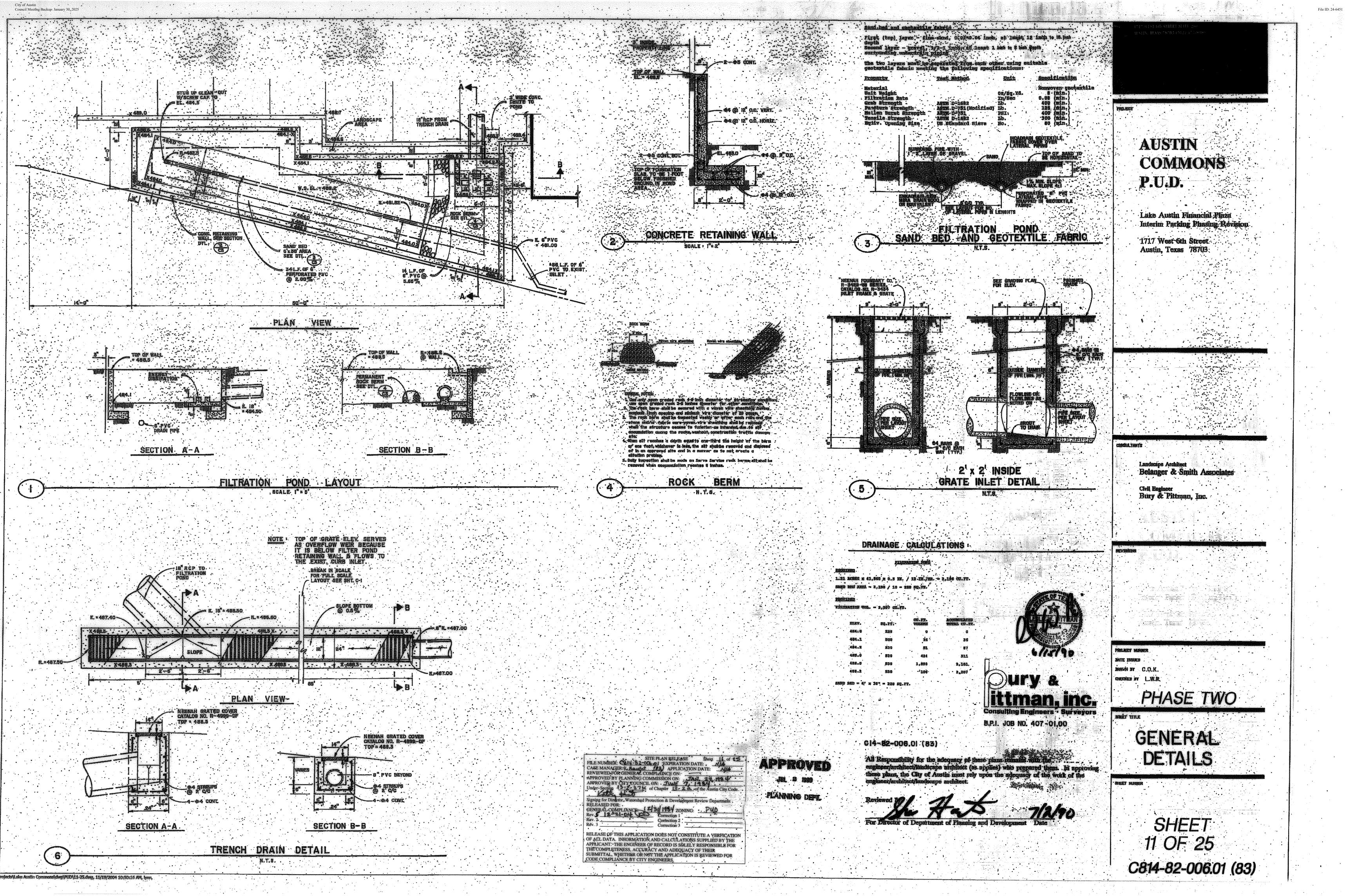




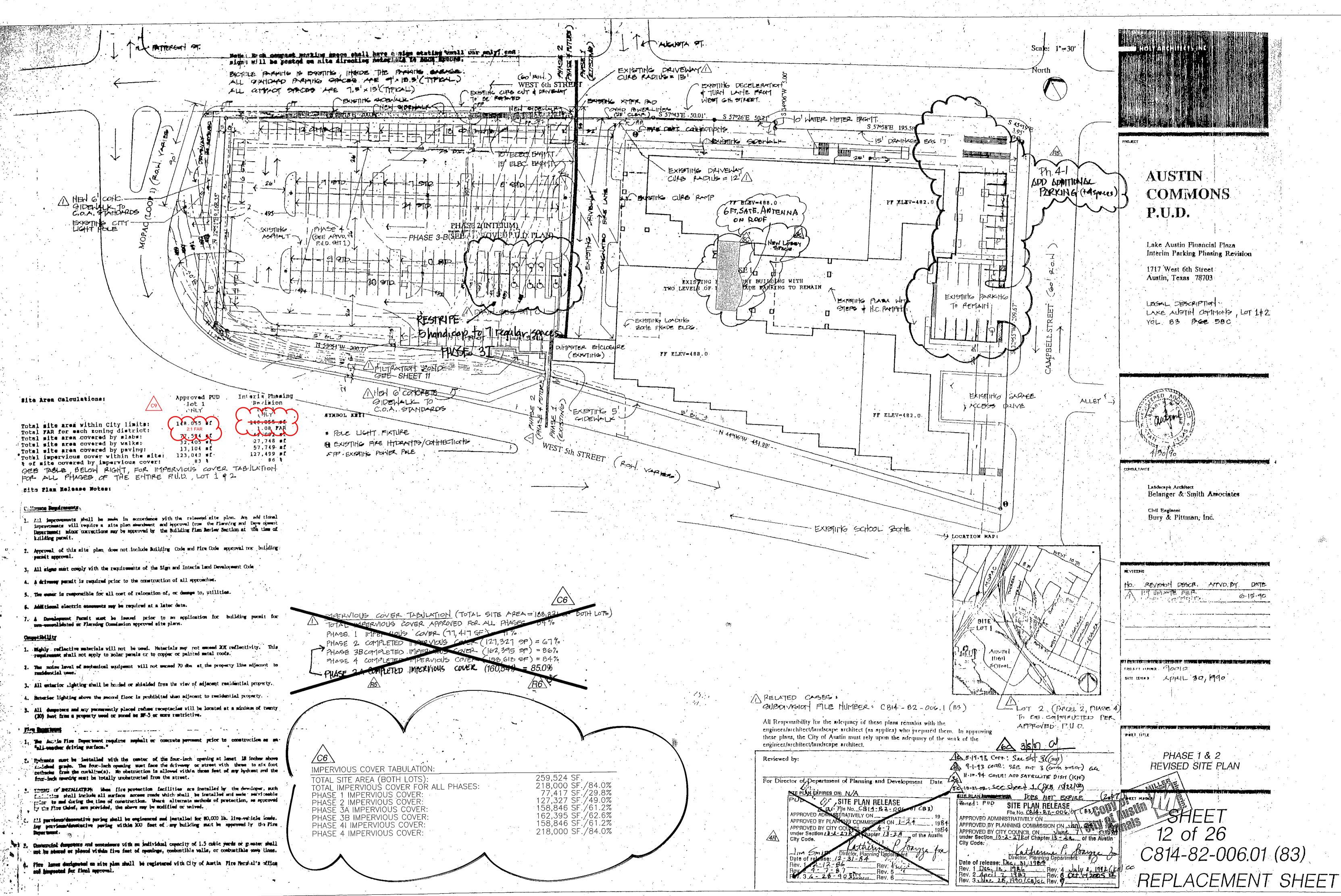


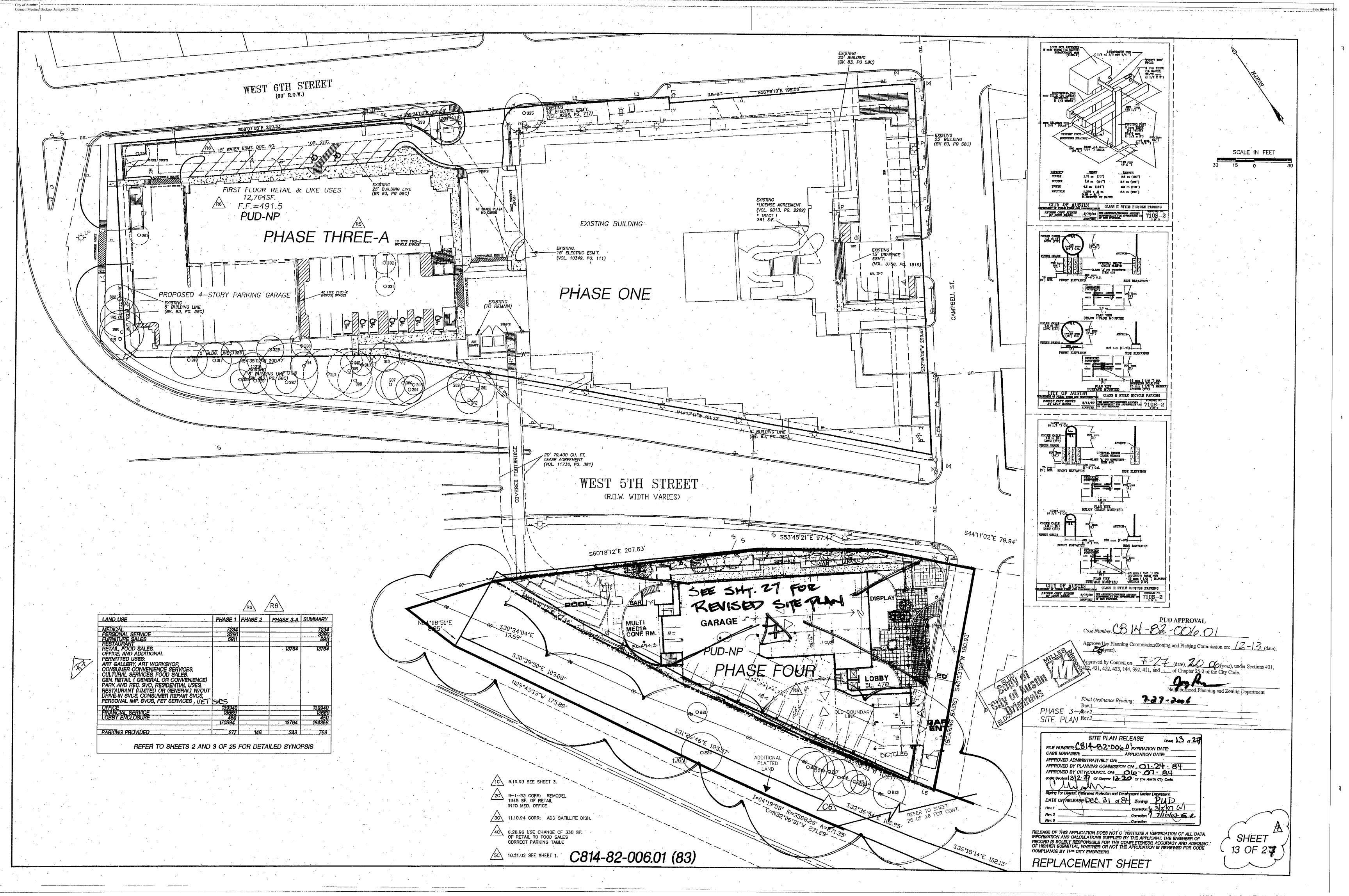


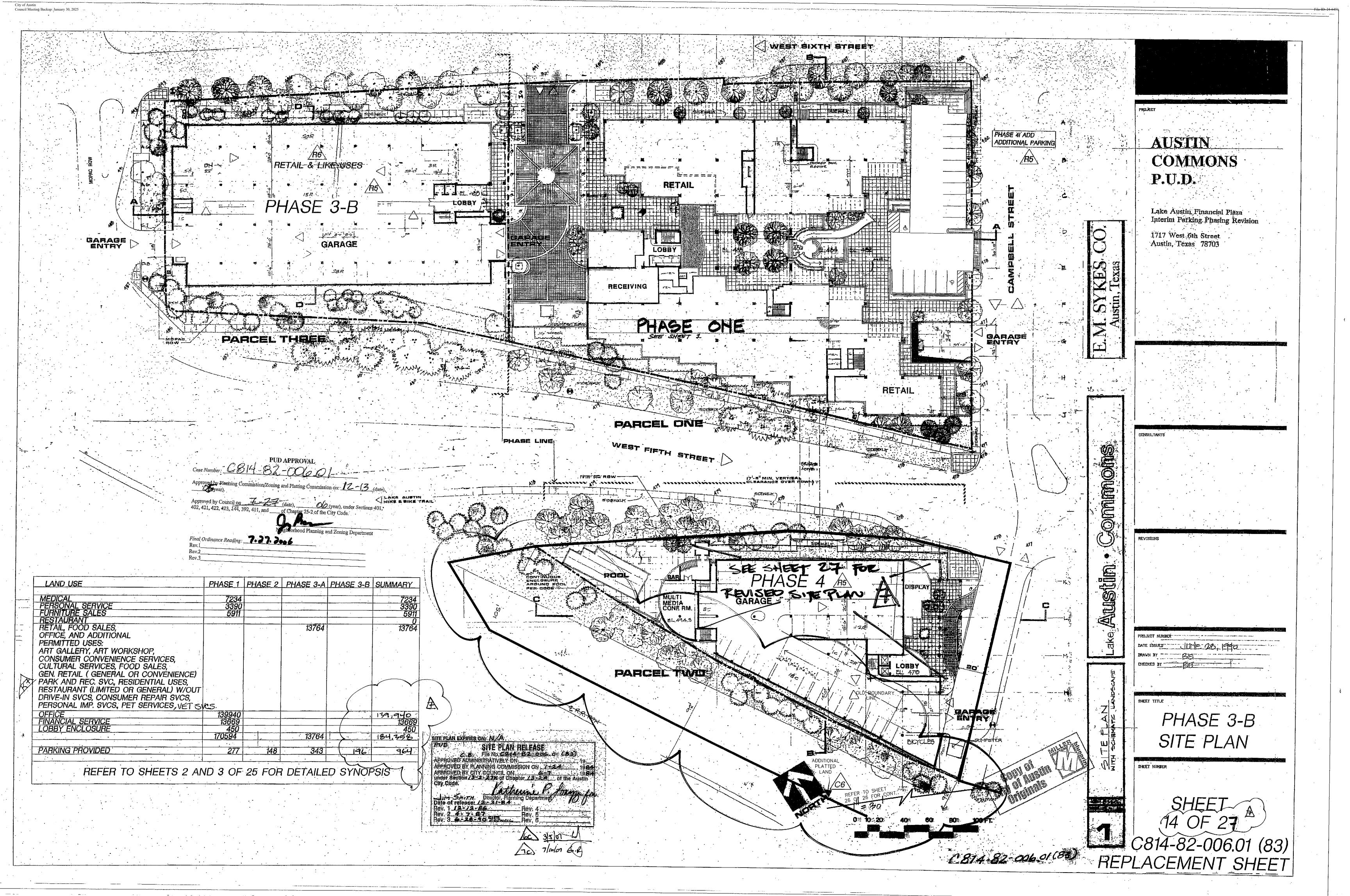


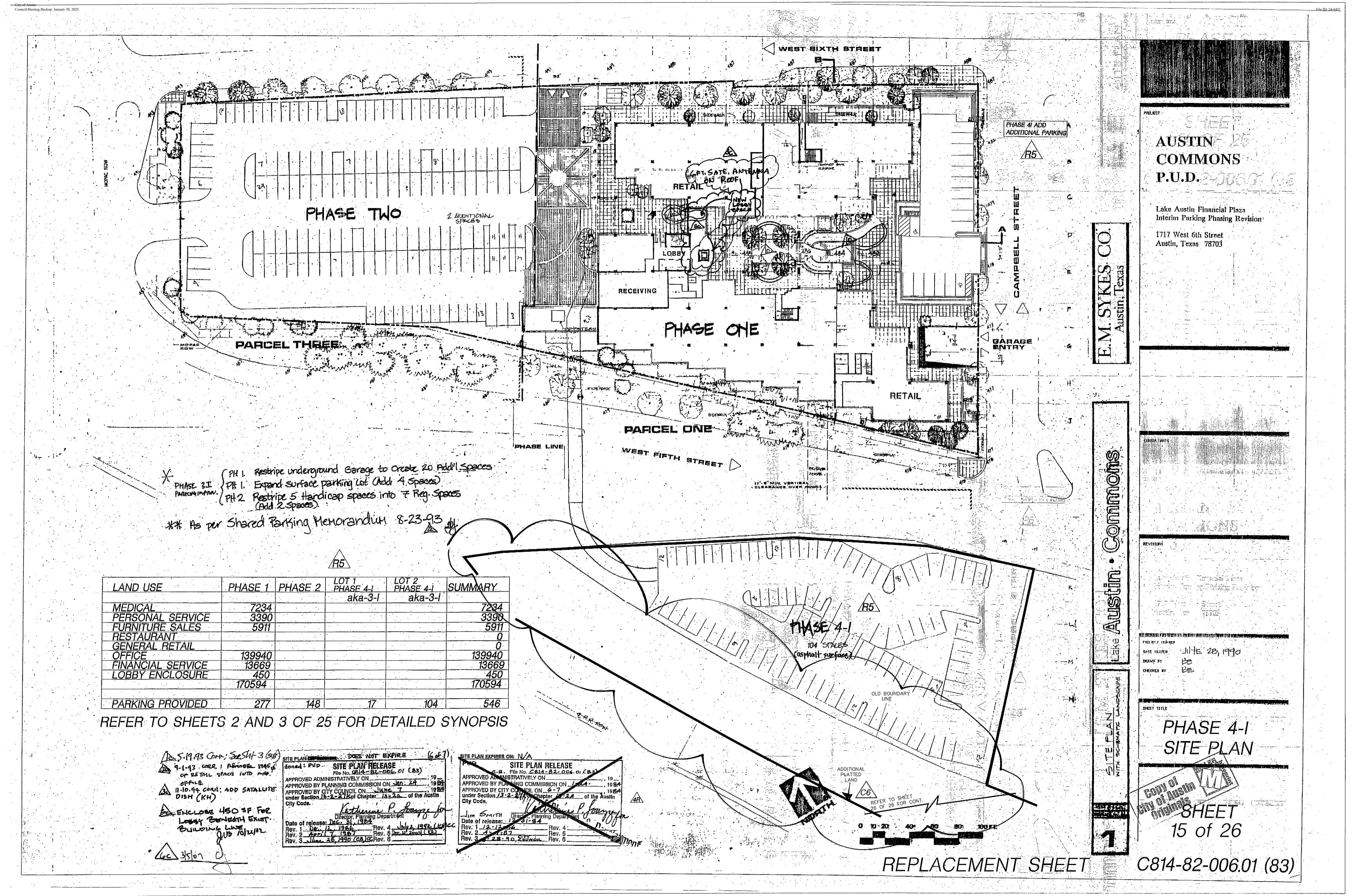


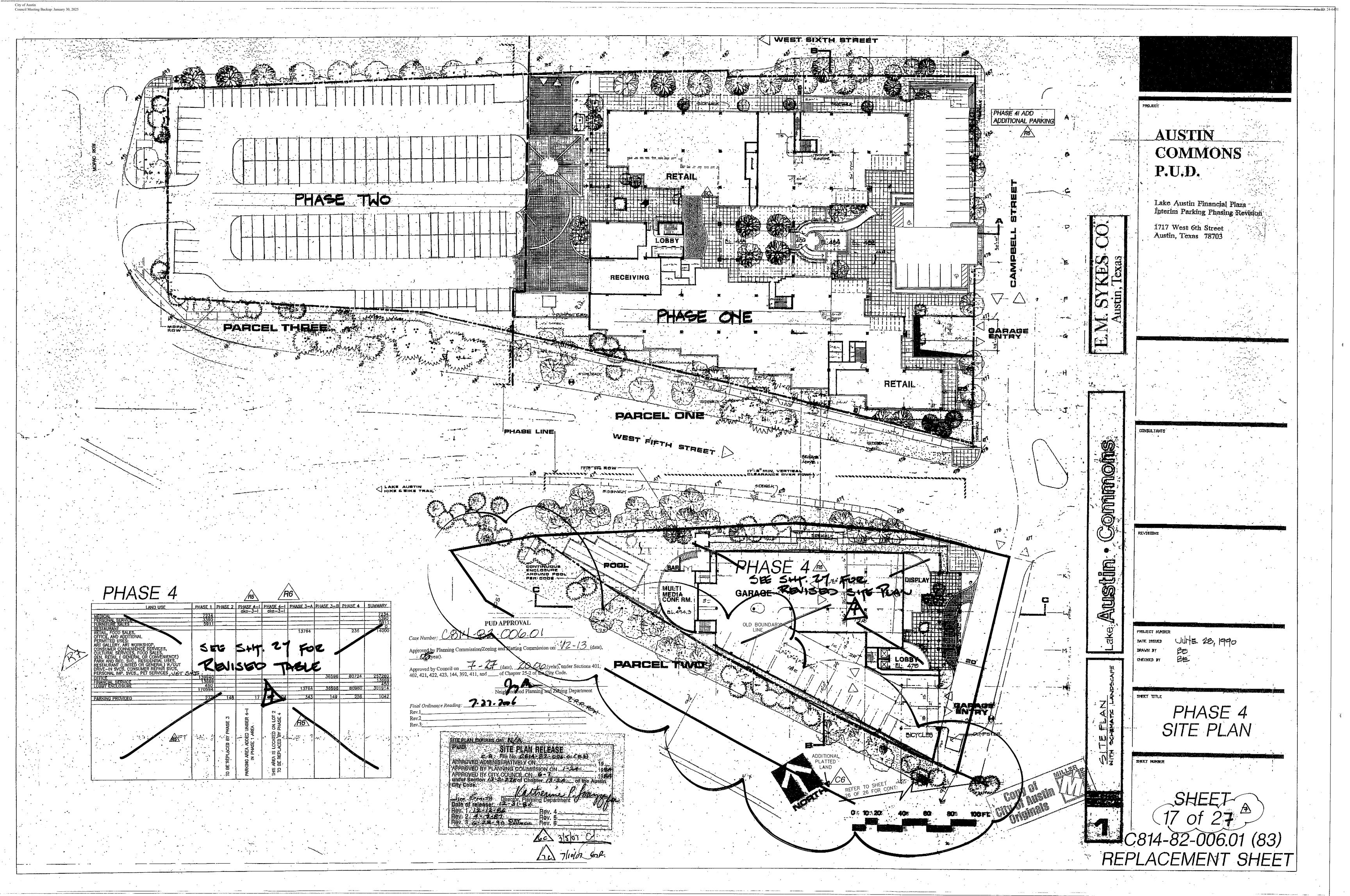
City of Austin
Council Meeting Backup: January 30, 2025

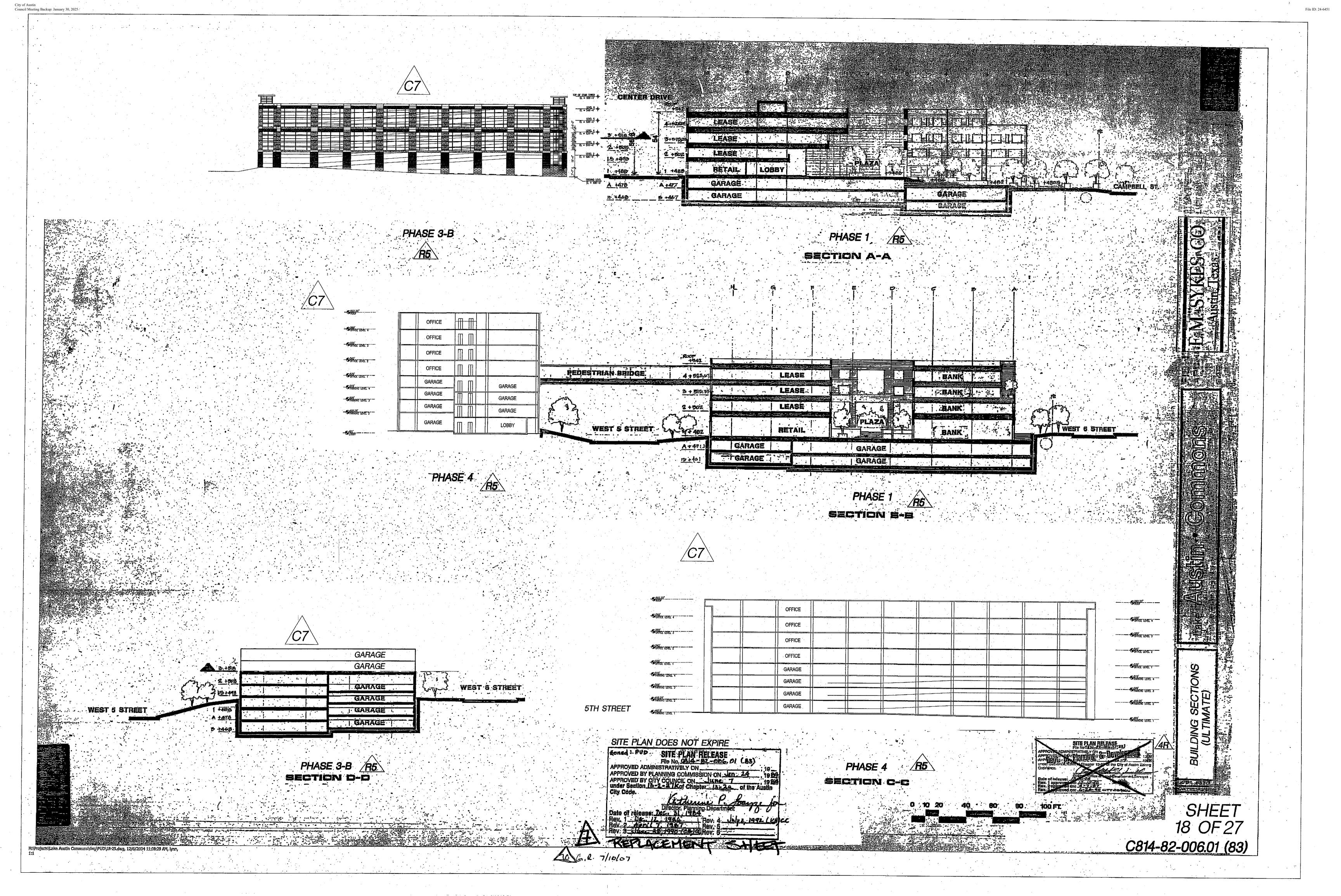


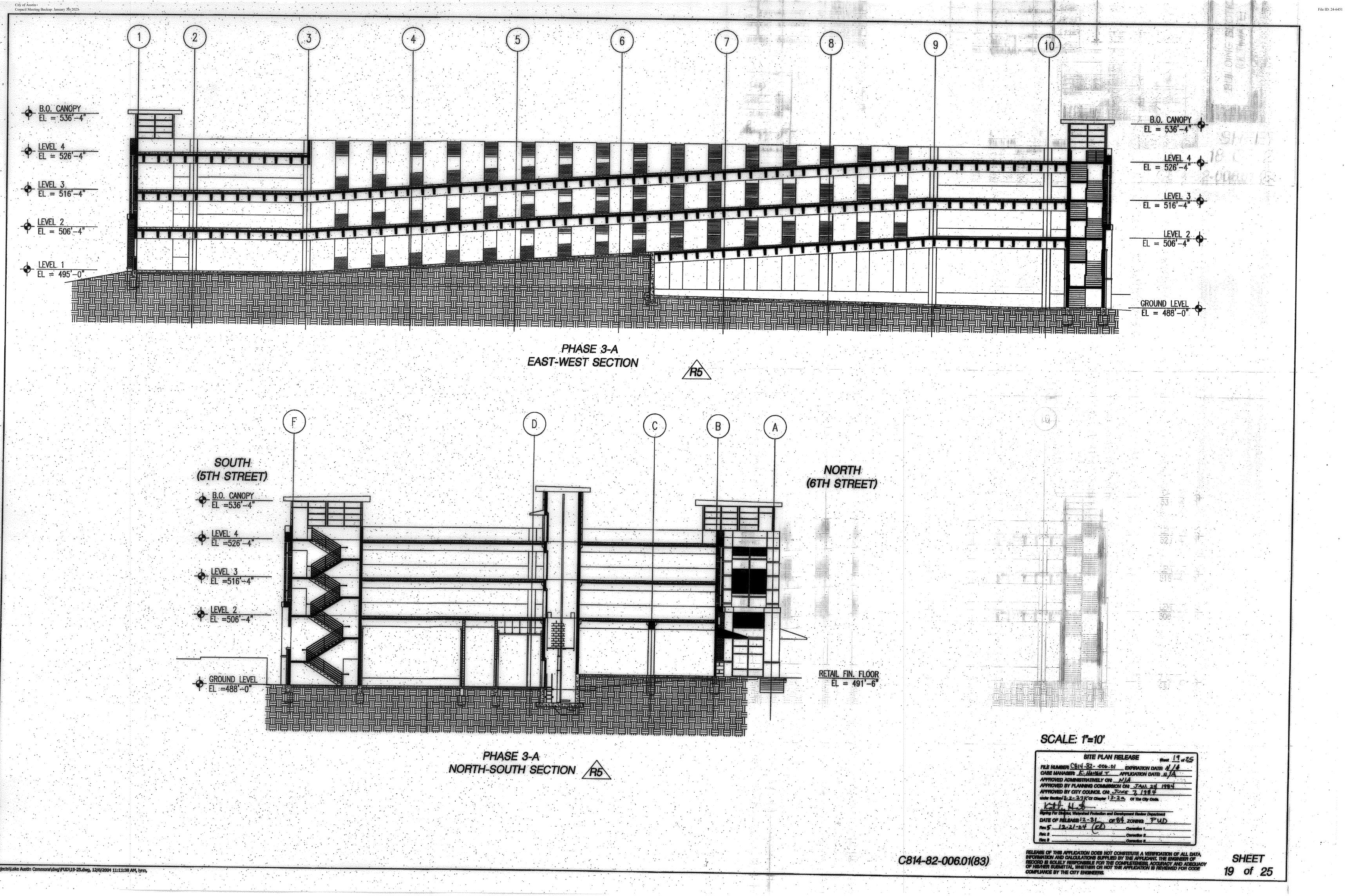


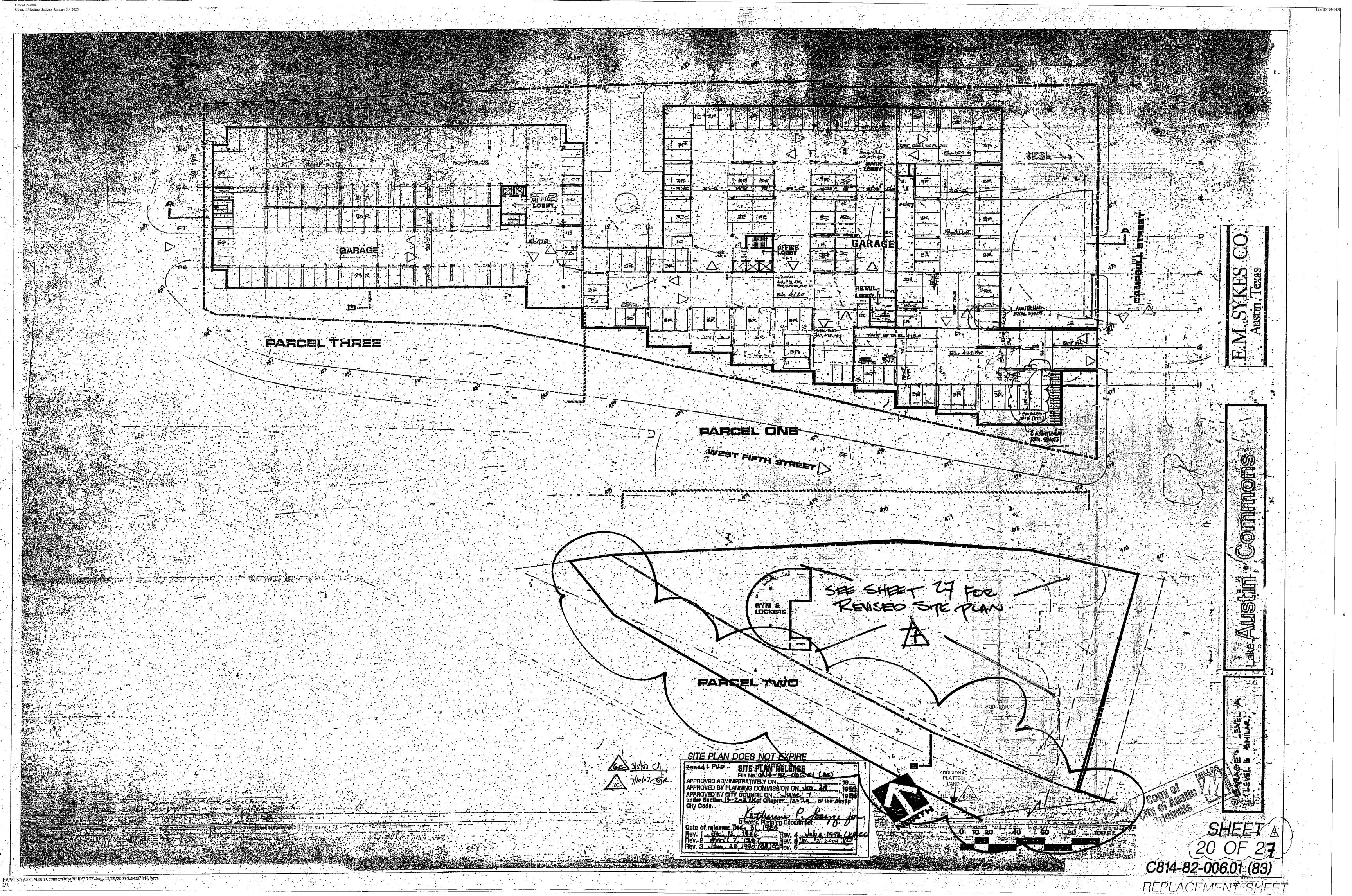


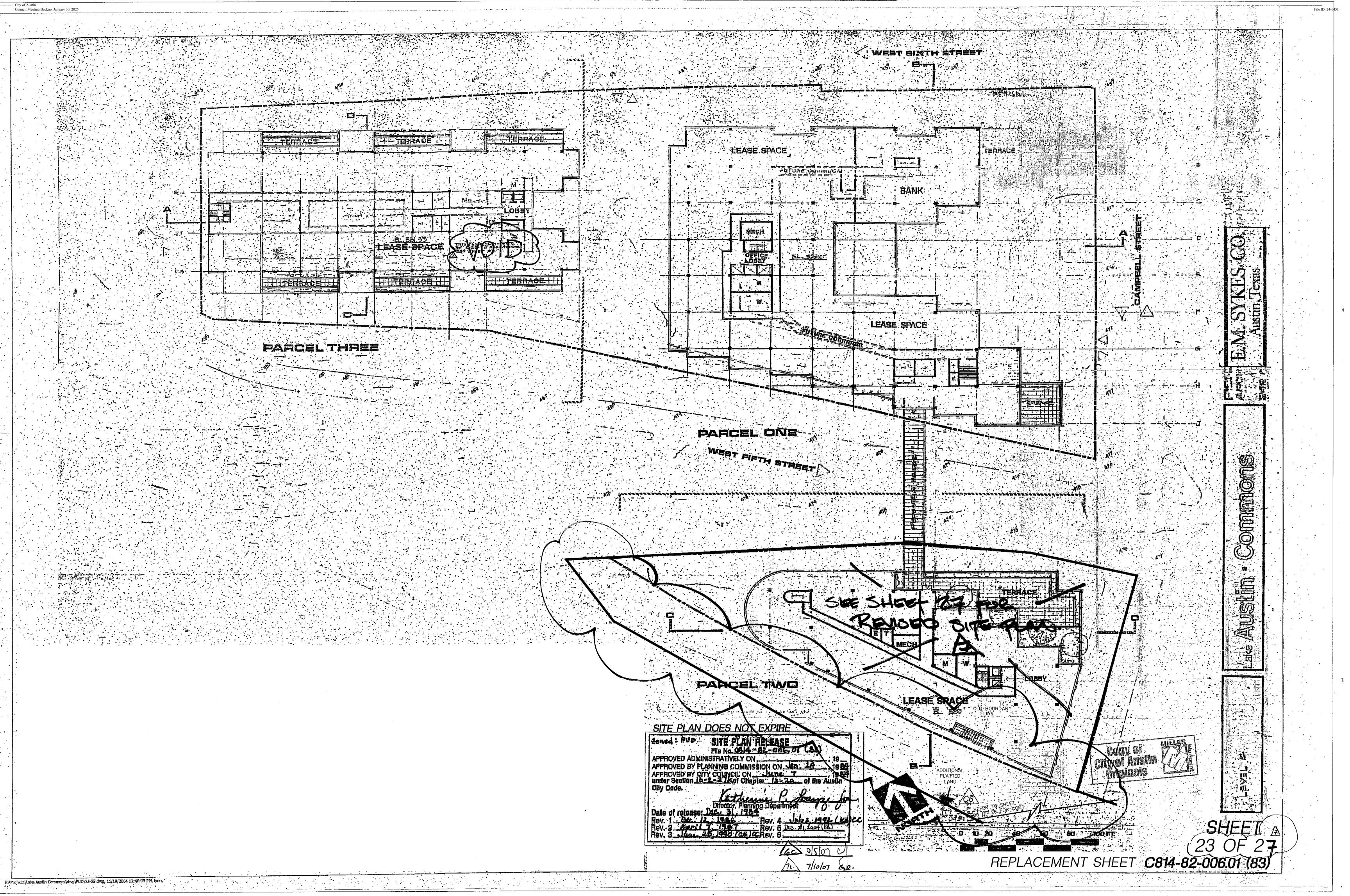


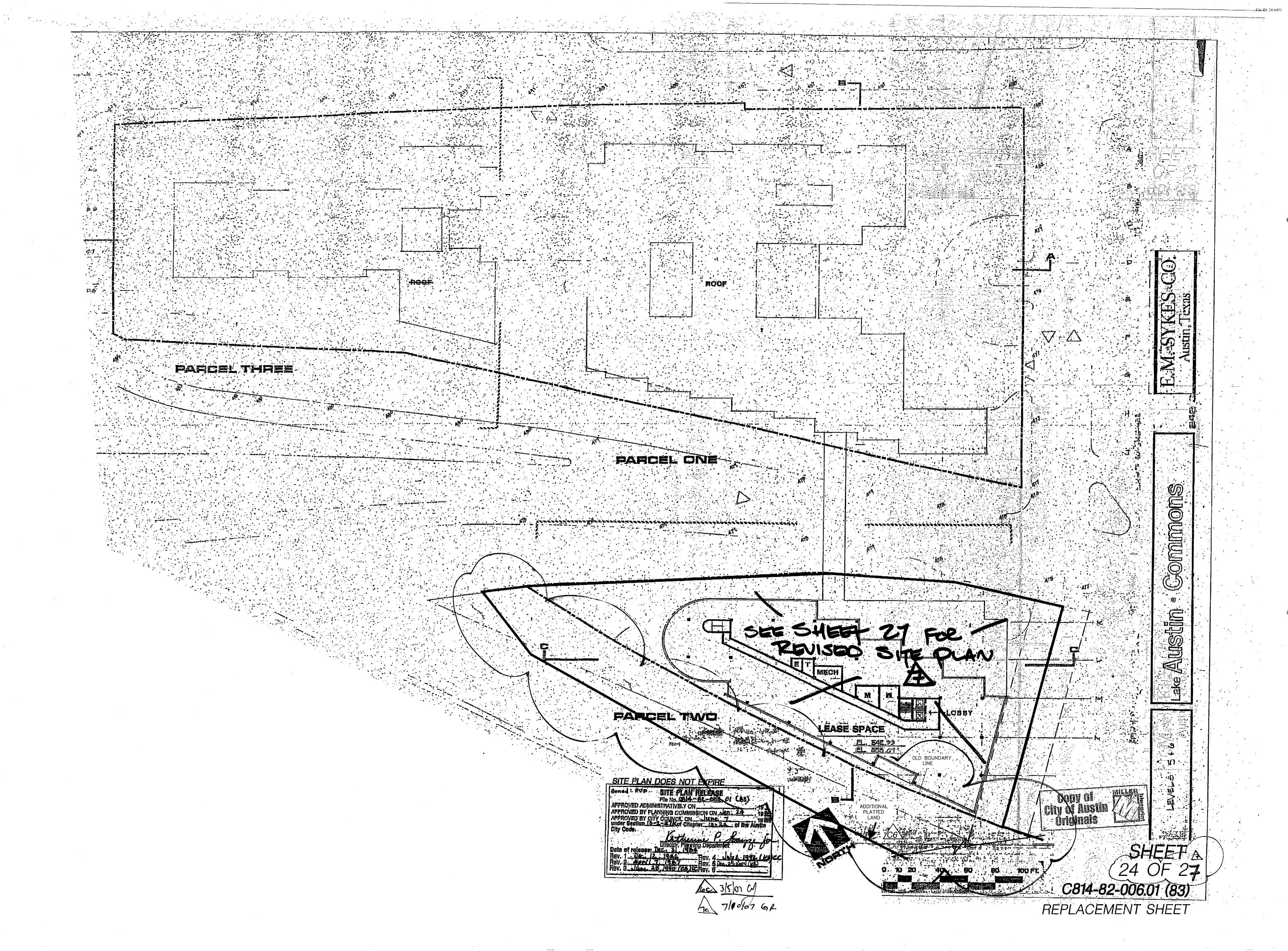


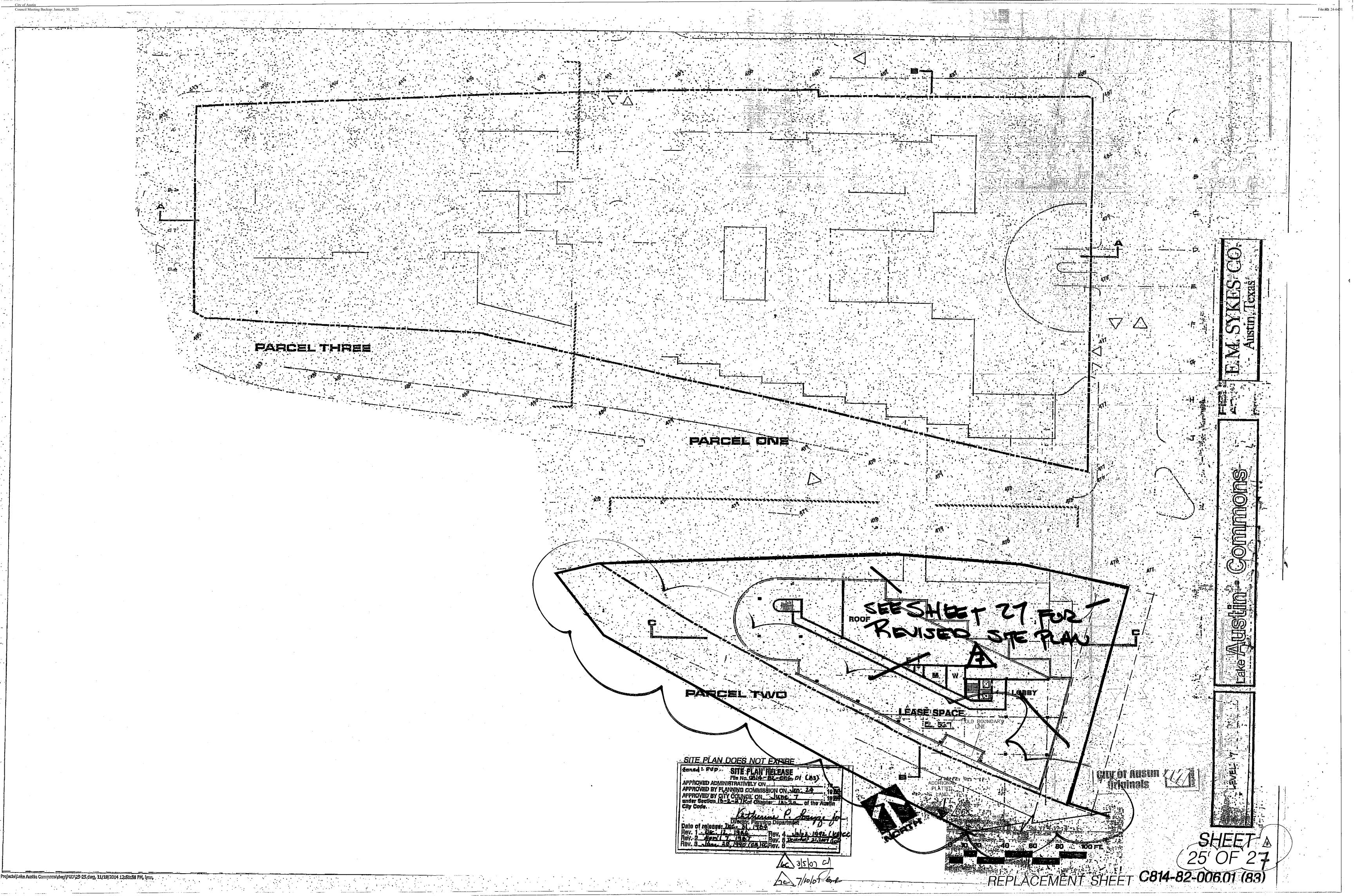


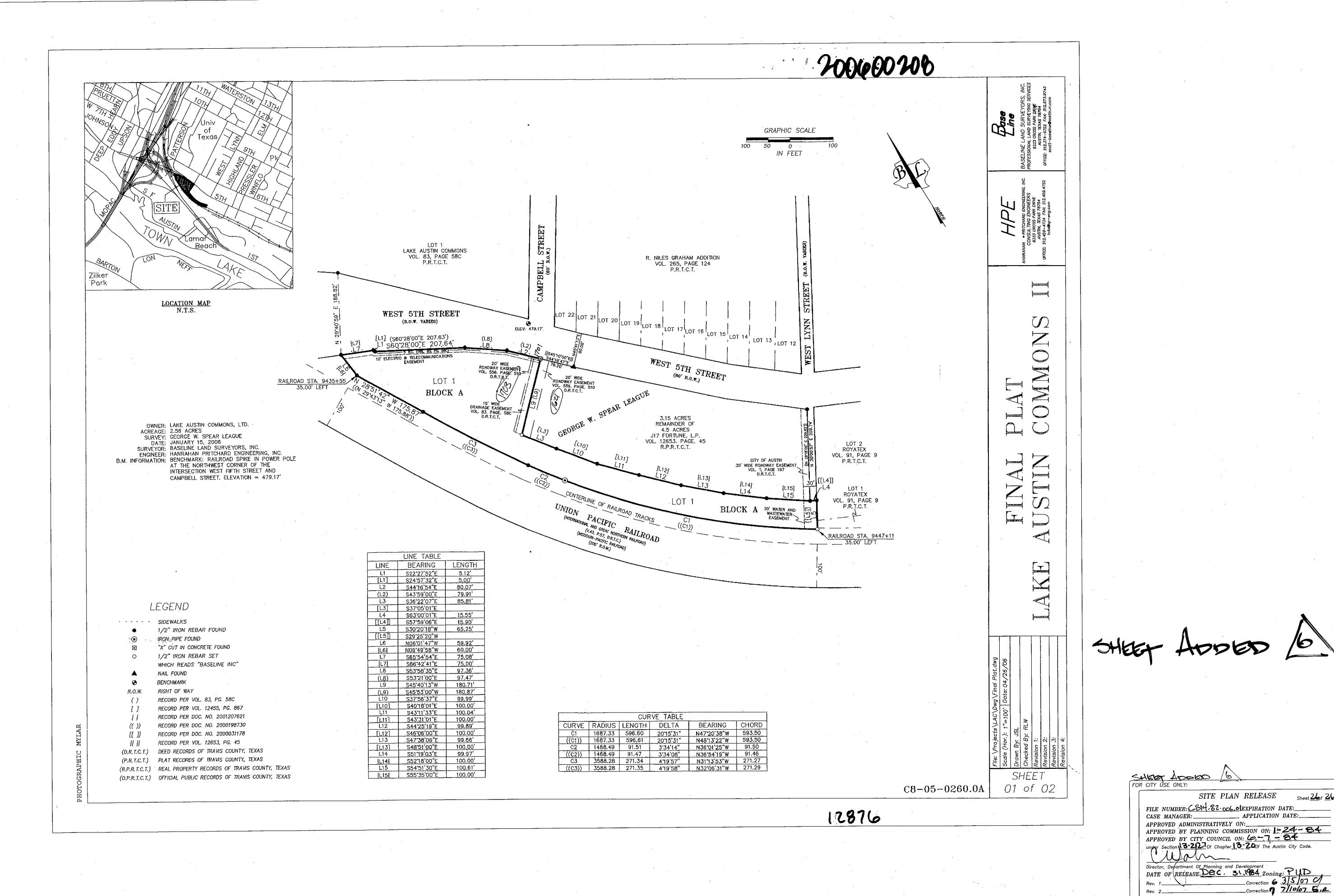












Correction

C8-14-82-006.01 (83)

26 OF 2

File ID: 24-6451

