

## ZONING CHANGE REVIEW SHEET

CASE: C814-2008-0165.01  
(East Riverside PUD Amendment #1)

DISTRICT: 9

ADDRESS: 222 E. Riverside Drive

ZONING FROM: PUD

TO: PUD\*

\*The applicant is requesting a PUD amendment for an increase in height from 96 feet to 200 feet on Tract 1 to allow for a multifamily project with more units on the property (*Please see Applicant's Request Letter – Exhibit C*).

SITE AREA: 2.68 acres

PROPERTY OWNER: CWS Riverside Square LP (Mary Ellen Barlow, Vice President)

AGENT: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov))

### STAFF RECOMMEDATION:

**Staff recommends the 1st amendment to the East Riverside PUD to increase the maximum permitted height on Tract 1 to 200 feet, with the following conditions:**

- 1) All residential and commercial development shall comply with Austin Energy Green Building Program (GBP) for a minimum two star rating. Certification from the GBP shall be met as specified by the version of the rating system current at the time of design.**
- 2) Project will incorporate light pollution reduction criteria by committing to comply with Austin Energy Green Building ST7 Light Pollution Reduction criteria as a part of achieving 3-star Austin Energy Green Building Rating or other comparable criteria.**
- 3) Project will incorporate bird friendly design criteria by committing to comply with Austin Energy Green Building STEL5 Bird Collision Deterrence criteria as a part of achieving 3-star Austin Energy Green Building Rating or other comparable criteria.**
- 4) Landowner shall construct at Landowner's expense a public reclaimed water system main extension from the adjacent property reclaimed water main. The reclaimed water main must either be extended from an adjoining reclaimed water main at the time of construction or capped at each end for future connection to a reclaimed water main by others. The public reclaimed water system main shall be temporarily connected to a public potable water main unless a serviceable reclaimed water main is available to the project. Total off-**

**site construction of reclaimed water main shall not exceed 500 linear feet. The PUD shall be required to install a reclaimed water service and meters and connect to and utilize reclaimed water systems (purple pipe) for all irrigation, cooling, and toilet/urinal flushing uses in the PUD.**

- 5) The applicant will be required to comply with Land Development Code § 2.5. Development Bonuses for any bonus area developed above the existing baseline of 96 feet of height.**

SMALL AREA PLANNING JOINT COMMITTEE ACTION/RECOMMENDATION:  
**April 9, 2025: Recommended the PUD amendment, to change a condition of zoning (4-0); N. Barrera-Ramirez-1st, R. Puzycki-2nd.**

SOUTH CENTRAL WATERFRONT ADVISORY BOARD ACTION:  
**May 19, 2025: Meeting canceled due to lack of quorum.**

PLANNING COMMISSION ACTION / RECOMMENDATION:  
**May 13, 2025: Recommended PUD-NP zoning, to change a condition of zoning, on consent (10-0, P. Howard, C. Hempel and D. Skidmore-absent); F. Maxwell-1st, A. Woods-2nd.**

CITY COUNCIL ACTION:  
**July 24, 2025**

ORDINANCE NUMBER:

### ISSUES:

The staff notes that in the original PUD zoning ordinance, Ordinance No. 20081016-056, there is a scrivener's error in the tract notations. The legal description of the property in Part 1, calls out Tract 1 as a 2.991 acre area known as Lot 1 of the Riverside Square Subdivision and Tract 2 as a 3.889 acre tract of land out of the Issac Decker League. However, the tract notations on the PUD land use plan (Exhibit C) are reversed. This will be addressed with corrections to the land use plan exhibit in the PUD amendment ordinance.

The applicant has met with Susan Watkins and Ursula Henderson in the Housing Department to discuss the proposed PUD amendment and tenant relocation requirements. Therefore, the applicant is aware that they be required to comply with regulations set out in LDC. Division 3. - Tenant Notification and Relocation when the property is redeveloped.

### CASE MANAGER COMMENTS:

The property in question is a 2.68 acre lot out of a larger that 6.569 acre area that is known as that East Riverside PUD. The site under consideration is located along Lady Bird Lake and is currently developed with a multifamily residential use (So Co on the Lake Apartments). This tract of land has driveway access to East Riverside Drive through a driveway between the properties at 200 E. Riverside Drive and 300 E. Riverside Drive and a 60-foot wide private access easement adjacent to the western property line, that is commonly referred to as "Little Riverside Drive". To the north, there is a food mart (Thom's Market) and an office complex (former TXDoT offices) that are zoned CS-V-NP and the former Austin American Statesman site that is zoned PUD-NP. The lot to the south is developed with a multifamily use (Water Marq) and was zoned PUD-NP as part of this original PUD case. The area to the west is developed with a two-story vacant office building, with surface parking, that is zoned L-NP. There is currently a rezoning case on that property, case C814-2024-0057 - 200 E. Riverside PUD, to request PUD zoning for a proposed office and commercial development.

This tract of land is located within the Lady Bird Lake and East Bouldin Creek Watersheds, which are classified as Urban Watersheds. This site is within the South Central Waterfront subdistrict of the Waterfront Overlay and within the South Central Waterfront Vision Framework Plan district boundaries. The Long Range Planning division in the Planning Department is 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. These changes were postponed indefinitely at City Council on September 12, 2024.

In this request, the applicant is asking to amend the PUD to allow for an increase in height from 96 feet to 200 feet to allow for a multifamily project with more density at this location. The tract of land is within the Greater South River City Combined Neighborhood Planning area (South River City) and is designated as "Mixed Use" on the Future Land Use Map (FLUM). Therefore, a neighborhood plan amendment is not required.

The staff recommends the proposed East Riverside PUD Amendment #1, with conditions. The property is located within the South Shore Central Subdistrict of the Waterfront Overlay. The Regulating Plan Height Map (Figure 1 in the South Central Waterfront Regulating Plan) does not call out limitations for the tracts in this PUD. In the staff's recommendation for the proposed changes to the regulating plan and the accompanying South Central Waterfront Vision Framework Plan, this property is within Subdistrict 4 and the staff's recommendation is for no maximum height limit and a maximum FAR of 24:1 on this tract of land. The staff is recommending the applicant's request of a maximum of 500 feet in height on the proposed 200 E. Riverside PUD directly to the west fronting onto E. Riverside Drive. Therefore, the recommendation of an increase to a maximum in 200 feet in height on this property will provide for a stepdown in the permitted height away from E. Riverside Drive to Lady Bird Lake to the east. In addition, the proposed height of 200 feet is in scale with the adjacent, Council-approved Statesman PUD. The eastern most building height of that PUD, Subarea 3, is limited to 250 feet. The proposed PUD amendment will allow for additional density in an area that is identified as a designated Regional Center (South Central Waterfront) by the Growth Concept Map in the Imagine Austin Comprehensive Plan along a Project Connect Blue Line. As part of Project Connect, a light rail platform/station is being proposed within a short walking distance of the property in this rezoning request.

The applicant agrees with the staff's recommendation.

#### BASIS OF RECOMMENDATION:

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

The Planned Unit Development (PUD) zoning district is intended for large or complex developments under unified control, planned as a single contiguous project. The PUD is intended to allow single or multi-use projects within its boundaries and provides greater design flexibility for development proposed within the PUD. Use of the PUD district should result in development superior to that which would occur using conventional zoning and subdivision regulations. PUD zoning is appropriate if the development enhances preservation of the natural environment; encourages high quality development and innovative design; and ensures adequate public facilities and services for development within the PUD.

- 2. Zoning should allow for reasonable use of the property.*

The proposed PUD amendment will permit an increase in height on this property to allow for additional density in an area that is identified as a designated Regional Center (South Central Waterfront) by the Growth Concept Map in the Imagine Austin Comprehensive Plan. The PUD is located along the Project Connect Blue Line near a proposed future Capital Metro rail station. There are numerous transportation options available in this area with the Ann and Roy Butler Hike and Bike Trail along the northern border of this tract connecting to the Boardwalk to Congress Avenue on Lady Bird Lake and Capital Metro bus routes (# 7, 20, 483 and 935) along E. Riverside Drive, with a bus stop to the west (Stop #3847: 205 Riverside/Congress).

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	PUD-NP	Multifamily (So Co on the Lake Apartments)
<i>North</i>	CS-V-NP, PUD-NP	Food Mart (Thom's Market), Office (former TXDoT offices), Office (Former Austin American Statesman)
<i>South</i>	PUD-NP	Multifamily (Water Marq)
<i>East</i>	-	Lady Bird Lake/Colorado River
<i>West</i>	L-NP	Office-Vacant

NEIGHBORHOOD PLANNING AREA: Greater South River City Neighborhood Plan

WATERSHED: East Bouldin Creek and Lady Bird Lake Watershed

SCHOOLS: Austin Independent School District

Travis Heights Elementary School  
Lively Middle School  
Travis High School

NEIGHBORHOOD ORGANIZATIONS:

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

RELATED CASES:

Previous Rezoning Cases: C814-2008-0165  
Site Plan Cases: SP-06-0715C, SP-06-0378C

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C814-2023-0057 (200 E. Riverside PUD)	L-NP to PUD-NP	9/10/ 2024: Approved staff's recommendation of PUD-NP zoning, with the Environmental Commission recommendation conditions and an amendment to the staff's recommendation in item #3 to state, "9,000 to 11,000 square feet unfinished space within the level of discharge ("ground floor") and floor above, with a private convenience stair, adequate space for 2-3 apparatus bays and appropriate apron for fire/ EMS apparatus, and an entrance/ egress on a major roadway must be included within 1 mile radius of the 200 E. Riverside PUD in consultation with the Austin Fire Department and Austin-Travis County EMS, with a lease executed or the space conveyed or the space identified prior to 55% of certificates of occupancy for the 200 E. Riverside PUD having been issued." Vote: (8-1-2, J. Mushtaler-No, A. Haynes and A. Phillips-abstain); A. Azhar-1st, F. Maxwell-2nd.	12/12/2024: Approved PUD-NP zoning, with additional conditions in a motion sheet from Council Member Qadri to amend the draft ordinance to remove part 13 in its entirety, to renumber the remaining sections accordingly and to include Project Connect infrastructure as an element of superiority, by consent on all 3 readings (10-0, M. Kellyoff the dais); Z. Qadri- 1st, N. - Harper-Madison-2nd.  2/27/2025: Motion to change item #50 from a postponement to 2nd reading approval (11-0); Mayor K. Watson-1st, Council Member M. Siegel-2nd.
C14-2017-0026 (Bouldin Creek Neighborhood Plan Garage Placement Zoning)	Area wide plan: To add Garage Placement provisions to Bouldin Creek Neighborhood Area Plan	Recommended adding placement to planning area	The case was indefinitely postponed by staff; the City Council did not act.
C814-2017-0001 (425 W. Riverside Drive PUD)	CS-1-V-NP to PUD-NP	Recommended staff rec., with additional direction provided by 1) the Environmental Commission, 2) the Small Area Planning Joint Committee, and 3) the South Central Waterfront Advisory Board Working Group	5/10/2018: Approved PUD-NP zoning, with additional direction to staff and revisions to the ordinance

C814-2012-0071 (422 W. Riverside)	LI-NP to PUD-NP	Recommended PUD-NP zoning	10/18/2012: Approved PUD-NP zoning
C814-2008-0165 (222 E. Riverside Drive PUD)	L-V-NP and L-NP to PUD-NP	Recommended PUD-NP zoning	10/16/2008: Approved PUD-NP zoning
C14-2007-0224, C14-2007-0220 (Vertical Mixed Use (VMU) Zoning Cases)	Area wide plans: To add VMU to various tracts in the Greater South River City and the Bouldin NP Areas	Recommended adding V overlay to zoning districts.	12/13/2007: Approved adding VMU to tracts
C814-06-0106 C814-06-0106.01 C814-06-0106.02 C814-06-0106.03  (Hyatt PUD - 208 Barton Springs)	CS-1-NP and L-NP to PUD-NP Amendments were to add additional permitted uses within PUD	Recommended PUDNP with conditions.  Recommended both amendments.	2/15/2007: Approved PUD-NP zoning  9/26/2013, 8/7/2014 and 11/30/2023: Approved PUD amendments
C14-99-0069 (200 S. Congress)	LI to LI-PDA	Recommended LI-PDA zoning	10/26/2000: Approved LI-PDA zoning
C814-89-0003.02 (305 S. Congress PUD Amendment)	PUD-NP to PUD-NP, to change conditions of zoning	2/08/2022: Approved an amendment to the PUD as Staff recommended, with conditions and amendments Vote: 12-0. [Commissioner Azhar; Vice-Chair Hempel – 2nd] Commissioner Praxis was absent	11/03/2022: Approved an amendment to the PUD with a Restrictive Covenant for the conditions of the Traffic Impact Analysis as on First Reading, on Second Reading. Vote: 7-1, Council Member Alter voted nay. Council Members Kelly and Kitchen abstained. Council Member Tovo was off the dais.  12/01/2022: Approved 3 <sup>rd</sup> reading

OTHER STAFF COMMENTS:

Austin Energy

Given the site is identified in the South-Central Waterfront Plan, and the additional entitlements requested we request adding the following agreement in keeping with current Tier 1 PUD requirements. "All residential and commercial development shall comply with Austin Energy Green Building Program (GBP) for a minimum two star rating. Certification from the GBP shall be met as specified by the version of the rating system current at the time of design."

### Austin Transit Partnership

How does this PUD reflect/correspond with the transfer of property to COA for the 6F mitigation? Has / will the PUD documentation be updated to reflect this (more related to the 300 E Riverside parcel than the 222 parcel)?

The property at 300 E Riverside set aside for parkland dedication has been deeded over to the City. This means that there is no impact to the PUD due to the 6F process or vice versa.

With the increased requested height of 200' ILO 96', and resulting "more units," will there be an update to the PUD required Traffic Impact Analysis (TIA)?

RESPONSE: The TIA requirement for this PUD is if trips exceed 5,730 trips a TIA will be provided prior to site plan approval. The attached TIA determination shows how the proposed project for 222 E. Riverside is projected to produce 1,787 trips and the existing project at 300 E. Riverside is 1,213 trips per day for a total of 3,000 trip which is well under the 5,730 trips threshold.

- a. What are the updated vehicular access plans for the increased units? Will all vehicular access be directly off the existing E. Riverside Drive?

RESPONSE: There are private access easements allowing for circulation through the adjacent property onto E. Riverside. Vehicular plans will be finalized at time of site plan.

- b. What is the PUD's planned approach to parking?

RESPONSE: The planned approach for parking is onsite and underground parking is being analyzed.

ATP will need to coordinate with the developer on west side of parcel for vehicular/emergency access as part of ALR and new extension of Little Barton Springs.

We do show approximately a 2,124 SF temporary construction easement for the rail guideway and approximately 1,112 SF Austin water utility easement both along the west side of the property adjacent to the rail guideway.

The easements would be proposed by ATP for the light rail project.

ATP is not requesting any superiority items. No issues from PCO or ATP on granting the height increase.

### Austin Water Utility

The 222 East Riverside PUD shall build an off-site reclaimed main from the nearest existing or planned point of intersection of the reclaimed system to the development.

RESPONSE: The project proposes to build an off-site reclaimed main from the nearest existing or planned point of intersection of the reclaimed system to the development that is within 500 feet of the development.

In alignment with the South-Central Waterfront Vision Framework Plan and the Austin Water Forward Plan, reclaimed water shall be used to meet all non-potable uses within the development including irrigation, cooling, and toilet/urinal flushing within the buildings.

RESPONSE: The project will comply with dual plumbing to allow for reclaimed water for non-potable water needs.

Please coordinate Ordinance language regarding AW requirements with Robert Stefani at [Robert.Stefani@austintexas.gov](mailto:Robert.Stefani@austintexas.gov).

Per Robert, the following language change is requested on sheet 6:

Landowner shall construct at Landowner's expense a public reclaimed water system main extension from the adjacent property reclaimed water main. The reclaimed water main must either be extended from an adjoining reclaimed water main at the time of construction or capped at each end for future connection to a reclaimed water main by others. The public reclaimed water system main shall be temporarily connected to a public potable water main unless a serviceable reclaimed water main is available to the project. Total off-site construction of reclaimed water main shall not exceed 500 linear feet. The PUD shall be required to install a reclaimed water service and meters and connect to and utilize reclaimed water systems (purple pipe) for all irrigation, cooling, and toilet/urinal flushing uses in the PUD ~~when the extension is operational~~.

#### City Arborist

Please also confirm the base superiority that may be required for this amendment with the City Deputy Environmental Officer. Based on that determination, please provide additional information on how this amendment may be proposing greater superiority for tree preservation, mitigation, and planting over the original PUD, the South-Central Waterfront District plan, current PUD superiority requirements, and current code. Additional comments may be generated.

RESPONSE: The project will comply with Austin Energy Green Building as stated in the Responses to EO1 and EO2. Additional superiority for tree preservation is not being proposed.

Comment pending the clearing of the Env. Officer's comment on removing the vested rights note from the PUD with this amendment. Comment may be cleared informally.

#### Comprehensive Planning

**Project Name and Proposed Use:** 222 E RIVERSIDE DRIVE. C814-2008-0165.01.

Project: East Riverside PUD Amendment #1. South River City NP. FLUM: Mixed Use. The Applicant is proposing to amend a previously approved Planned Unit Development. Existing: Tract 1- 2.992 acres with 100 multifamily units; Tract 2- 3.889 acres with 264 multifamily units. Proposed: Tract 1- 2.992 acres with 375 multifamily units and increasing from 96 feet in height to 200 feet in height; Tract 2- 3.889 acres with 264 multifamily dwelling units. The proposed PUD amendment meets the broad intent of the South-Central Waterfront Vision

Framework Plan. The proposed height of 200 feet is in scale with the adjacent, Council-approved Statesman PUD. The eastern most building height of that PUD, Subarea 3, is limited to 250 feet. Additionally, as part of Project Connect, a light rail platform/station is being proposed within a very short walking distance of 222 East Riverside.

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures *</b>
Y	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Names of Activity Centers/Activity Corridors/Job Centers *:</b> <b>Within South Central Waterfront Regional Center. 0.18 miles East of South Congress Activity Corridor. 0.09 miles North of Riverside Drive Activity Corridor.</b>
Y	<b>Mobility and Public Transit *:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Y	<b>Mobility and Bike/Ped Access *:</b> Adjoins a public sidewalk, shared path, and/or bike lane.
Y	<b>Connectivity, Good and Services, Employment *:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
Y	<b>Connectivity and Food Access *:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
	<b>Connectivity and Education *:</b> Located within 0.50 miles from a public school or university.
Y	<b>Connectivity and Healthy Living *:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail.
	<b>Connectivity and Health *:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.)
Y	<b>Housing Choice *:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	<b>Housing Affordability *:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Mixed use *:</b> Provides a mix of residential and non-industrial uses.
Y	<b>Culture and Creative Economy *:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
Y	<b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>

Drainage Engineering

Amendment didn't appear to change any of the previous agreements for WQ.

### Environmental

No comments.

### Environmental Officer

Consider incorporating light pollution reduction criteria into the development by committing to compliance with Austin Energy Green Building ST7 Light Pollution Reduction criteria as a part of achieving 3-star Austin Energy Green Building Rating or other comparable criteria.

RESPONSE: The project intends to comply with the Austin Energy Green Building ST7 Light Pollution Reduction criteria as a part of achieving 3-star Austin Energy Green Building Rating or other comparable criteria.

Consider incorporating bird friendly design criteria into the development by committing to compliance with Austin Energy Green Building STEL5 Bird Collision Deterrence criteria as a part of achieving 3-star Austin Energy Green Building Rating or other comparable criteria.

RESPONSE: The project intends to comply with the Austin Energy Green Building STEL5 Bird Collision Deterrence criteria as a part of achieving 3-star Austin Energy Green Building Rating or other comparable criteria.

Remove grandfathering language from the ordinance.

RESPONSE: The project will provide water quality controls in accordance with Chapter 25-8, Subchapter A, Article 6 (Water Quality Controls) of the Land Development Code in effect at the time of site plan submittal.

Grandfathering will not be permitted in the amended ordinance. If there are any requests for the project to vary from current code, the code modification will need to be included in an amendment.

Pending language approved by COA Law department.

### Fire

No comments.

### Floodplain

No comments.

### Housing

The applicant will be required to comply with Land Development Code § 2.5. Development Bonuses for any bonus area developed above the existing baseline of 96 feet of height.

### Hydro Geologist

Closed. No comments.

## Parks and Recreation

Provide documentation of the dedication of the 1.5 acres of parkland described in Part 6, D. 1. of the ordinance.

RESPONSE: The parkland dedication is in process with City staff in the Real Estate Services Department.

1.5 acres of parkland does not exceed current parkland dedication superiority requirements for the intensity of proposed development. Please let this reviewer know whether the applicant intends to pursue parkland superiority for this PUD amendment.

RESPONSE: The project is not electing to provide parkland superiority at this time.

In addition to superiority, the additional residential intensity exceeding the original PUD should comply with base parkland dedication code, at minimum. Note in the ordinance that the additional intensity of residential development exceeding what was originally approved will meet Title 25 parkland dedication requirements, as amended (should superiority not be sought, see PR 2).

RESPONSE: The project will comply with Title 25 for the incremental increase in units above the existing allowed height of 96 feet.

Provide justification for any new modifications to the Waterfront Overlay regulations beyond those approved in the original ordinance (the maximum height increase).

RESPONSE: Zoning in this area has greatly changed recently with adjacent properties having received approved entitlements for additional height. This request is in line with future City planning principles. Also, the original PUD consists of two lots with the other lot being located at 300 E. Riverside Drive which is not included with this PUD amendment application. This application is only for one lot in the original PUD which is set back farther from any residents south of East Riverside Drive. Lastly, the Long-Range Planning division 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 include proposed changes that no longer include maximum building heights.

## Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

RESPONSE: Noted.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

RESPONSE: Per Ordinance 20240516-004 compatibility will not apply to the project.

Proposed demolition of a multi-family residential structure is subject to Tenant Notification regulations. Please contact Housing Department staff at TenantRelocation@austintexas.gov for compliance verification before submitting demolition permit application to Development Services Dept. [25-1-712].

RESPONSE: Noted.

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

RESPONSE: Noted.

Transportation Public Works

A transportation assessment/traffic impact analysis is not required at this time. A TIA may be required at the time of site plan if triggered when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1.

TPW has no objections to the proposed increase in height.

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Barton Springs Road  (aka E. Riverside Drive and “Little Riverside”)	3	116’	None	40’	None	Yes	Yes

Water Quality

Amendment didn't appear to change any of the previous agreements for WQ.

Wetland Biologist

No comments.

## INDEX OF EXHIBITS TO FOLLOW

- A. Zoning Map
- B. Aerial Map
- C. Applicant's PUD Amendment Request Letter
- D. Proposed Redlined PUD Exhibits





## ARMBRUST & BROWN, PLLC

ATTORNEYS AND COUNSELORS

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*rsuttle@abaustin.com*

October 23, 2023

Lauren Middleton-Pratt, Director  
Planning Department  
City of Austin  
1000 E. 11th Street, Suite 200  
Austin, Texas 78702

Re: PUD Amendment Application for the East Riverside PUD (C814-2008-0165) for the property located at 222 East Riverside Drive, Austin, Texas, 78704, also known as TCAD Parcel No. 0201011108 (the "Application")

Dear Ms. Middleton-Pratt:

This letter is submitted on behalf of the owner in the above referenced Application. The Application is submitted to amend Ordinance No. 20081016-056 (the "PUD Ordinance"). The PUD Ordinance covers approximately 3.889 acres of land, of which, only 2.992 acres are included in this Application (the "Property").

The Property is currently developed with a multifamily project. The purpose of this request is to amend the PUD Ordinance to allow for an increase in height from 96 feet to 200 feet to allow for a multifamily project with more units than what exists today.

Thank you in advance for your time and consideration of this Application. If you have any questions, comments, or need additional information, please do not hesitate to contact me at (512) 435-2310 or Jewels Cain at (512) 435-2318.

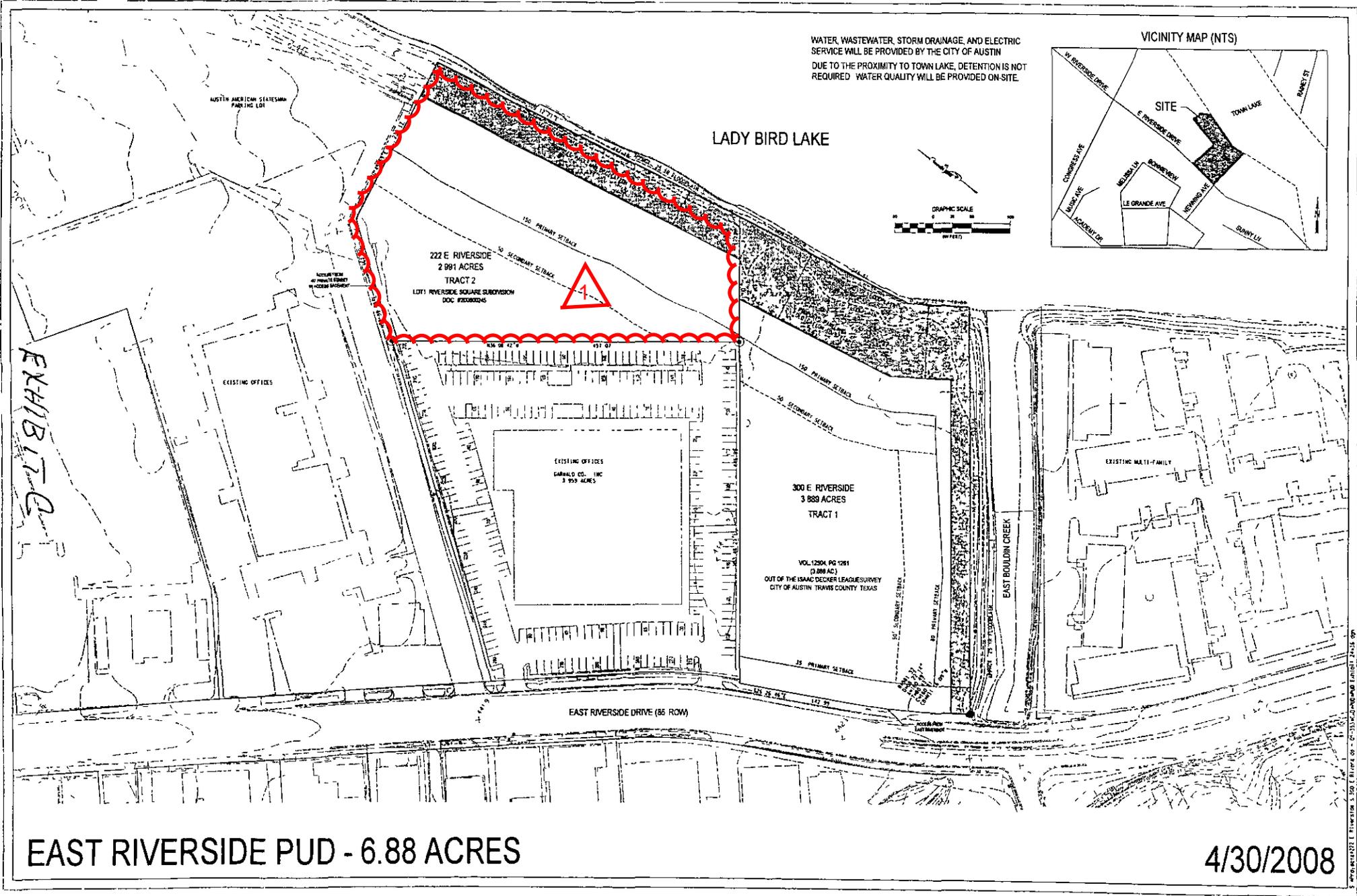
Very truly yours,

**ARMBRUST & BROWN, PLLC**



Richard T. Suttle, Jr.

cc: Joi Harden



WATER, WASTEWATER, STORM DRAINAGE, AND ELECTRIC SERVICE WILL BE PROVIDED BY THE CITY OF AUSTIN DUE TO THE PROXIMITY TO TOWN LAKE, DETENTION IS NOT REQUIRED WATER QUALITY WILL BE PROVIDED ON-SITE.

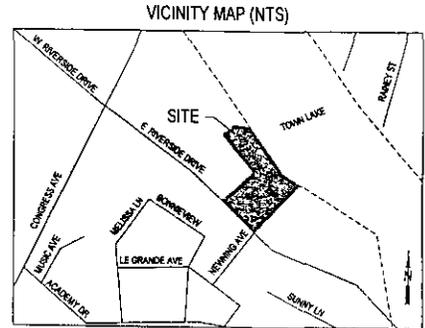


EXHIBIT D

EAST RIVERSIDE PUD - 6.88 ACRES

4/30/2008

www.austintx.gov

**ORDINANCE NO. ~~20081016-056~~**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY COMMONLY KNOWN AS THE EAST RIVERSIDE PUD LOCATED AT 222 AND 300 EAST RIVERSIDE DRIVE IN THE SOUTH RIVER CITY NEIGHBORHOOD PLAN AREA, FROM ~~LAKE COMMERCIAL VERTICAL MIXED USE BUILDING-NEIGHBORHOOD PLAN (L-V-NP) COMBINING DISTRICT AND LAKE COMMERCIAL NEIGHBORHOOD PLAN (L-NP) COMBINING DISTRICT~~<sup>PUD</sup> TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.**

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from ~~lake commercial vertical mixed use building neighborhood plan (L-V-NP) combining district and lake commercial neighborhood plan (L-NP) combining district~~<sup>PUD</sup> to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-~~2008-0165~~, on file at the Neighborhood Planning and Zoning Department, as follows:

Tract One: Lot 1, Riverside Square Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Document No. 200600245, of the Official Public Records of Travis County, Texas; and

Tract Two: A 3.889 acre tract of land, more or less, out of the Isaac Decker League, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 222 and 300 East Riverside Drive, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** This ordinance, together with the attached Exhibits A through C, are the land use plan for the East Riverside planned unit development district (the "PUD") created by this ordinance. The PUD shall conform to the limitations and conditions set forth in this ordinance and in the East Riverside planned unit development land use plan (the "Land Use Plan"). If this ordinance and the attached exhibits conflict, the ordinance applies. ~~Except as otherwise specifically provided by this ordinance, all other rules, regulations and ordinances of the City effective as of the date of this ordinance, apply to the PUD.~~

In accordance with Part 3 of Ordinance No. 20080618-098, the PUD is subject to the standards in effect on June 18, 2008.

**PART 3.** The Property is subject to Ordinance No. 20050929-Z003 that established the South River City neighborhood combining district.

**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: Description of Property
- Exhibit B: Zoning Map
- ~~Exhibit C: Land Use Plan~~

**PART 5.** Definitions.

A. In this ordinance:

- 1) PRIMARY SETBACK means the Town Lake, East Bouldin Creek, and Riverside setbacks in the Waterfront Overlay District with the following prescribed distances:

Town Lake	150 feet
East Bouldin Creek	80 feet
Riverside	35 feet

- 2) SECONDARY SETBACK means the Town Lake, and East Bouldin Creek setbacks in the Waterfront Overlay District with the following prescribed distances:

Town Lake	50 feet
East Bouldin Creek	50 feet

B. All other terms have the meaning provided in the Code.

**PART 6.** Except as otherwise provided in this ordinance, the uses and site development regulations of the lake commercial (L) district apply to the PUD instead of otherwise applicable regulations.

## A. Uses

The following uses are permitted uses of the PUD:

Condominium residential	Administrative and business offices
Electronic testing	Parks and recreational services
Cocktail lounge	Financial services
General retail sales (convenience)	Hotel-motel
Personal services	Restaurant (general)
Cultural services	Multifamily residential
Food sales	General retail sales (general)
Professional office	Restaurant (limited)
Medical offices (not exceeding 5000 sq. ft of gross floor area)	
Medical office (exceeding 5000 sq. ft. of gross floor area)	

Section 25-2-742(G)(4) is modified to allow a maximum height of 200 feet on the 222 E. Riverside property only.

## B. Site Development regulations

- 1) Division 5, Subpart C, 3.2 (*Planned Unit Development Regulations*) of the City Code do not apply to the PUD.
- 2) ~~The maximum height of a building or structure is 96 feet for the area outside the Waterfront Overlay District Setbacks.~~
- 3) Within the Town Lake and East Bouldin Creek Secondary Setbacks the maximum height of a building or structure is 35 feet.
- 4) Section 25-2-531 (*Height Limit Exceptions*) apply to the height limitations set forth in Part 6, Sections B.2 and B.3 above.
- 5) Section 25-2-1063 (*Height Limitations and Setbacks for Large Site*) and Section 25-2-1065 (*Scale and Clustering Requirements*) do not apply to the PUD.
- 6) Section 25-2-721(B) (*Waterfront Overlay (WO) Combining District Regulations*) is modified as follows:
  - a. Except as shown in (1) and (2) in this Subsection, development is prohibited in the Town Lake and East Bouldin Creek primary setback areas.

- (1) Park facilities, including picnic tables, observation decks, trails, and not more than two gazebos are allowed. Each gazebo may not exceed 650 square feet.
  - (2) An emergency access route, if constructed of pervious paving material with the appearance of vegetation or trail, is allowed. Except for emergency use, routine vehicular access use is not permitted.
  
- 7) Section 25-2-721(C) (*Waterfront Overlay (WO) Combining district Regulations*) is modified as follows:
  - a. A use permitted within the PUD may be located within the Town Lake and East Bouldin Creek secondary setback area.
  - b. Within the East Bouldin Creek secondary setback areas:  
  
the maximum building coverage is 100 percent, and  
  
the maximum impervious cover is 100 percent.
  - c. Within the Town Lake secondary setback area:  
  
the maximum building coverage is 50 percent; and  
  
the maximum impervious cover may not exceed 75 percent.
  
- 8) Section 25-2-~~744~~<sup>742</sup>(C)(2) (*South Shore Central Subdistrict Regulations*) is modified as follows:  
  
The secondary setback line is located 50 feet from the primary setback line parallel to the East Bouldin Creek centerline.
  
- 9) Subchapter E (*Design Standards and Mixed Use*) of Chapter 25-2 of the City Code does not apply to the PUD.

### C. Transportation

Section 25-6-113 (*Traffic Impact Analysis Required*) is modified as follows:

If the expected number of trips generated by the project exceeds 5,730 trips per day, a traffic impact analysis ("TIA") shall be provided prior to site plan approval to the Watershed Protection and Development Review Department, or its successor department, of the City of Austin. All development on the Property shall be subject to the requirements of the TIA as set forth in Section 25-6, Article 3 (*Traffic Impact Analysis*) of the City Code and Section 2 of the Transportation Criteria Manual.

### D. Parkland Dedication

- 1) Prior to the issuance of a certificate of occupancy for the first building in the PUD, approximately 1.5 acres of parkland shall be dedicated. The parkland shall be located within the primary setback areas depicted on Exhibit C (*Land Use Plan*). Underground parking is not permitted in the dedicated parkland area.
- 2) Within the dedicated parkland, a hike and bike trail shall be constructed along Town Lake and East Bouldin Creek between the westernmost property line to the southeast corner area of the property at East Riverside Drive and shall be maintained by the owner of the Property.
- 3) The dedication of parkland and construction of the hike and bike trail shall satisfy all parkland dedication and fee requirements and open space requirements for development within the PUD.
- 4) All development rights within the parkland area may be used for development within the PUD. For purposes of site plan approvals, the area dedicated as parkland shall be included in the site calculations. The joinder of the City of Austin in any site plan application is not required notwithstanding the inclusion of the parkland area within the site plan.



EXHIBIT A

A DESCRIPTION OF 3.889 ACRES OF LAND SITUATED IN THE ISAAC DECKER LEAGUE, TRAVIS COUNTY, TEXAS BEING ALL OF THAT CERTAIN 3.888 ACRES OF LAND DESCRIBED IN EXHIBIT A OF A SPECIAL WARRANTY DEED TO VINLAND RIVERSIDE PARTNERS, L.P. RECORDED IN VOLUME 10504, PAGE 1261 OF THE REAL PROPERTY RECORDS OF SAID COUNTY, SAID 3.889 ACRES, AS SHOWN ON RAMSEY LAND SURVEYING'S MAP NO. 322-01, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of said 3.888 acres being an interior ell corner on the east right-of-way (R.O.W.) line of East Riverside Drive (R.O.W. varies);

THENCE along the north line of said 3.888 acres being the south line of that certain tract of land, designated as Tract Three, conveyed to Garwald Company, Inc. by deed recorded in Volume 10565, Page 321 of the said Real Property Records N56°14'00"E, 612.29 feet to a 1/2 inch iron rod found for the northeast corner of said 3.888 acres, the southeast corner of said Tract Three on a boundary line agreement recorded in Volume 2221, Page 69 of the Deed Records of said County;

THENCE, departing the north line of said 3.888 acres and the south line of said Tract Three, along the east line of said 3.888 acres and said boundary line agreement the following two (2) courses:

1. S06°42'55"E, 248.81 feet to a metal fence post found, and
2. S30°30'17"E, 78.88 feet to a cotton gin spindle found for the southeast corner of said 3.888 acres, the northeast corner of that certain tract of land, designated as Tract Two, conveyed to Garwald Company, Inc. by deed recorded in Volume 10565, Page 321 of the said Real Property Records and the northeast corner of an eighty (80) foot wide drainage easement recorded in Volume 1484, Page 532 of the said Deed Records;

THENCE, departing the east line of said 3.888 acres and said boundary line agreement, along the south line of said 3.888 acres, the north line of said Tract Two and the north line of said drainage easement the following two (2) courses:

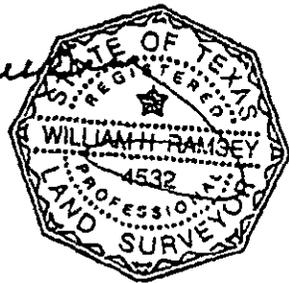
1. S56°08'51"W, 165.82 feet to a 1 inch iron pipe found, and

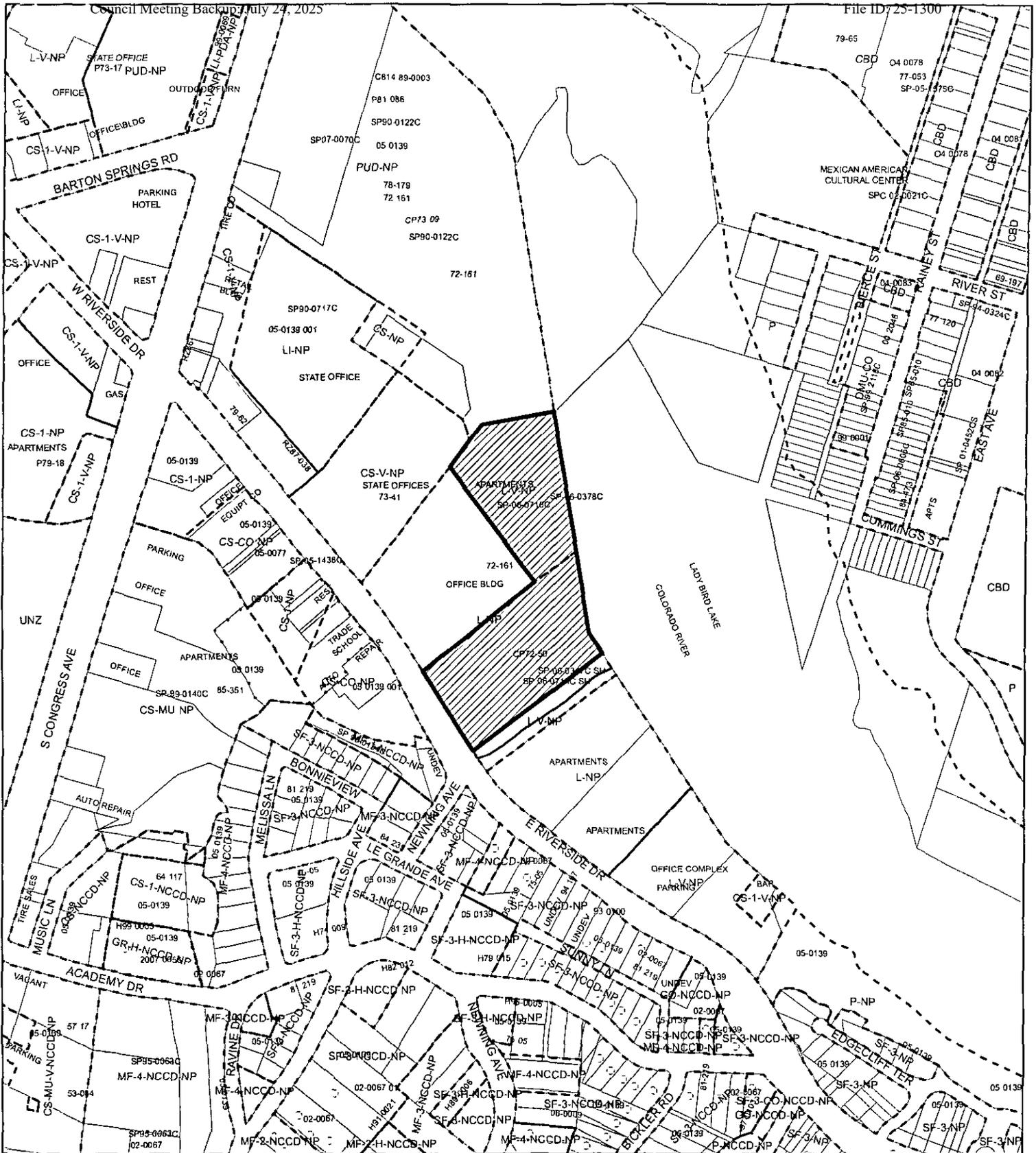
2. S56°13'27"W, 366.75 feet to a 1/2 inch iron rod found for the southwest corner of said 3.888 acres and an exterior ell corner on the said east R.O.W. line;

THENCE, departing the south line of said 3.888 acres, the north line of said Tract Two and the north line of said drainage easement, along the west line of said 3.888 acres and the said east R.O.W. line the following two (2) courses:

1. a distance of 160.49 feet along the arc of a curve to the right whose radius is 981.32 feet, central angle is 09°22'14" and whose chord bears N28°51'04"W, 160.31 feet to an "X" cut in concrete, and
2. N24°01'42"W, 142.99 feet to the POINT OF BEGINNING containing 3.889 acres of land more or less.

*Will H. Ramsey*  
9-27-00





### ZONING EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

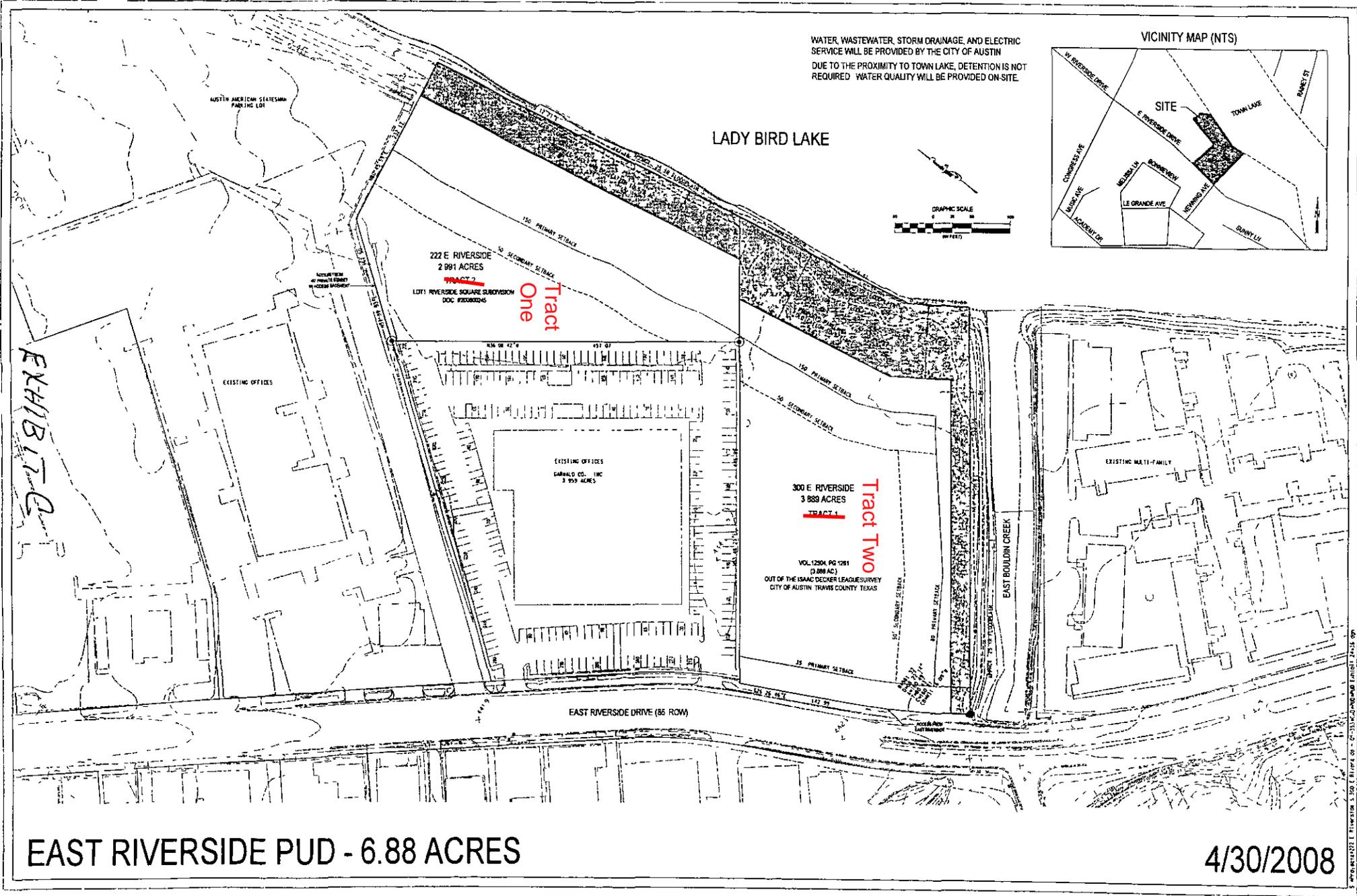
ZONING CASE# C814-2008-0165  
 ADDRESS 222 E RIVERSIDE DR  
 SUBJECT AREA 6.88 ACRES  
 GRID J21  
 MANAGER C. PATTERSON



OPERATOR: S MEEKS

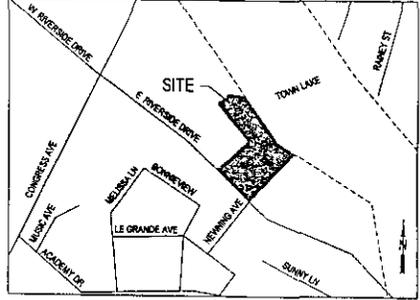
1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference  
 No warranty is made by the City of Austin regarding specific accuracy or completeness



WATER, WASTEWATER, STORM DRAINAGE, AND ELECTRIC SERVICE WILL BE PROVIDED BY THE CITY OF AUSTIN DUE TO THE PROXIMITY TO TOWN LAKE, DETENTION IS NOT REQUIRED WATER QUALITY WILL BE PROVIDED ON-SITE.

VICINITY MAP (NTS)



LADY BIRD LAKE



EXHIBIT G

EAST RIVERSIDE PUD - 6.88 ACRES

4/30/2008