

Modifications to Part 5. C.,
Part 6. B., Part 7. E. & F., Part
9. D., Part 11, Part 14. C., and
Part 15. B., C., D., E., & F.

Version 4

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 200 EAST RIVERSIDE DRIVE IN THE GREATER SOUTH RIVER CITY COMBINED NEIGHBORHOOD PLAN AREA FROM LAKE COMMERCIAL-NEIGHBORHOOD PLAN (L-NP) COMBINING DISTRICT 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 200 East Riverside Planned Unit Development (the “200 East Riverside PUD”) is comprised of 3.9555 acres of land generally located on the north side of East Riverside Drive between Interstate Highway 35 and South Congress Avenue and is more particularly described as follows:

3.9555 acres of land, more or less, being out of the Isaac Decker Survey No. 20, Abstract No. 8, in Travis County, Texas, being all of a called 3.955 acre tract of land conveyed by deed recorded in Document No. 2019011895 of the Official Public Records of Travis County, Texas, and being a portion of a called 6.951 acre tract of land conveyed by deed recorded in Volume 10565, Page 321 of the Real Property Records of Travis County, Texas, said 3.9555 acres of land being more particularly described by metes and bounds in **Exhibit “A”** incorporated into this ordinance (the “Property”),

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from lake commercial-neighborhood plan (L-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-2023-0057, on file at the Planning Department, locally known as 200 East Riverside Drive in the City of Austin, Travis County, Texas, and generally identified in the map attached as **Exhibit “B”**.

PART 3. Exhibits. 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: Legal Description
- Exhibit B: Zoning Map
- Exhibit C: Land Use Plan

37 **PART 4.** This ordinance and the attached Exhibits A through C constitute the land use plan
38 (the "Land Use Plan") for the 200 East Riverside PUD created by this ordinance.
39 Development of and uses on the Property shall conform to the limitations and conditions set
40 forth in this ordinance and in the Land Use Plan. If this ordinance and the attached exhibits
41 conflict, this ordinance controls. Except as otherwise specifically modified by this
42 ordinance, all other rules, regulations, and ordinances of the City of Austin ("City") apply to
43 the 200 East Riverside PUD.

44 **PART 5. Definitions.**

- 45 (A) In this ordinance, LANDOWNER means the owner of the Property, or the
46 owner's successors and assigns, or the owner of the Property or that portion of the
47 Property at the time of dedication or transfer to City. Landowner does not include
48 City.
- 49 (B) Unless otherwise specifically defined, all terms in this ordinance shall have the
50 meaning established in Title 25 of Code of the City of Austin, Texas (the "Land
51 Development Code").
- 52 (C) In this ordinance, the term "public transit system" shall mean the above grade
53 light rail mass transit system for public use and the systems' related
54 infrastructure, relating to the light rail alignment depicted on Exhibit A attached
55 to Resolution No. 20200807-003 (*Project Connect Contract with the Voters*).

56 **PART 6. Land Use.**

- 57 (A) Except as specifically modified by this ordinance or the Land Use Plan, the
58 Property shall be developed in accordance with the regulations applicable in the
59 lake commercial (L) district.
- 60
61 (B) Landowner anticipates development to proceed in phases on the Property,
62 initially occurring in Area 2 as identified on **Exhibit C: Land Use Plan** ("Area
63 2"), followed by development to occur in Area 1 as identified on the **Exhibit C:
64 Land Use Plan** ("Area 1"). Landowner anticipates development to proceed with
65 construction of a vertical building in Area 2 ("Building 1"), followed by an
66 additional vertical building in Area 2 ("Building 2"), and last phase of the
67 development shall occur in Area 1, to consist of one or two vertical buildings.
68 The first vertical building located in Area 1 shall be referred to as (the "West
69 Building").
70
71
72

73 **PART 7. Affordable Housing.**

- 74 (A) Landowner shall satisfy the affordable housing requirement as set out in this Part
75 7.
- 76 (B) Except as modified in this Part 7, Landowner shall pay an in-lieu donation to the
77 Housing Trust Fund for the Bonus Area allowed within the 200 East Riverside
78 PUD per City Code Chapter 25-2, Subchapter B, Article 2, Division 5, Section
79 2.5.6 (*In Lieu Donation*).
- 80 (C) In this Part 7, the following applies:
- 81 (1) Bonus area means the square footage difference between maximum base
82 height, maximum building coverage, and maximum floor-to-area ratio
83 (FAR) allowed in the lake commercial (L) district and building height,
84 building coverage, and FAR, represented in the building permit
85 application.
- 86 (2) Bonus Area.
- 87 (a) The bonus area is calculated:
- 88 (i) for each building; and
- 89 (ii) at the time a building permit is issued.
- 90 (b) The bonus area is categorized as residential or non-residential based
91 on the square feet of residential or non-residential area constructed
92 within the building.
- 93 (D) **Fee In-Lieu Amount.** Landowner shall pay \$9.00 per square foot as an in-lieu
94 donation for bonus area.
- 95 (E) **Fee In-Lieu Amount** is due payable to the Housing Trust Fund prior to the
96 issuance of a certificate of occupancy for a building containing bonus area on the
97 Property.
- 98 (1) **Fee In-Lieu Escalation.** Landowner shall pay an annual rate increase of
99 three percent (3%) for the in-lieu donation described in this Part 7. The
100 date for annual rate increase is applied on the anniversary of the effective
101 date of this ordinance. Annual rate increase shall be rounded to the
102 nearest hundredth (two decimal places). *Example 1- Building permit is*
103 *issued following the first anniversary of the effective date of this*
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ordinance with 330,000 square feet of bonus area multiplied by \$9.27 (\$9.27 calculated as $\$9.00 \times 1.03$) = \$3,059,100.00. Example 2 - Building permit is issued following the second anniversary of the effective date of this ordinance with 330,000 square feet of bonus area multiplied by \$9.55 (\$9.55 calculated as $\$9.27 \times 1.03$) = \$3,151,500.00.

(2) The fee in-lieu escalation shall not apply to Building 1 if the building contains bonus area.

(F) Public Transit Modification for West Building. If any obligation of Landowner described in Part 15 is performed or substantially performed, the in-lieu donation amount for the West Building is modified to require Landowner to pay a minimum Fee in-Lieu Amount of eight million dollars (\$8,000,000.00) to the Housing Trust Fund prior to the issuance of a certificate of occupancy (the "Public Transit Modification for West Building Amount").

(1) West Building Offset of In-Lieu Donation. Landowner may claim an offset of the Public Transit Modification for West Building Amount if Landowner Obligations described in Part 15 are satisfied.

(2) If the Public Transit Modification for West Building Amount for the bonus area as calculated is more than eight million dollars (\$8,000,000.00), Landowner shall pay the amount exceeding the eight million dollars (\$8,000,000.00) to the Housing Trust Fund.

(3) The fee in-lieu escalation shall not apply to Public Transit Modification for West Building Amount.

PART 8. Public Art.

Landowner will participate in the Art in Public Places (AIPP) program. Landowner shall spend a minimum of one hundred thousand dollars (\$100,000.00) on an art piece and installation with a preference for local artists. Landowner shall procure and provide the art piece approved by the Director of Economic Development Department to be displayed in a prominent location on the Property or incorporated into nearby public areas, including bus stop, rail line, or other location as approved by the director. The City shall not issue the final certificate of occupancy for the final phase of development in the 200 East Riverside PUD until the \$100,000.00 is expended on an approved art piece and is on display in an approved location.

149 **PART 9. Austin Water Utility.**

- 150 (A) Landowner shall construct at Landowner's expense a public reclaimed water
151 system main along the Property frontage of 200 East Riverside Drive. The
152 reclaimed water main must either be extended from an adjoining reclaimed water
153 main at the time of construction or capped at each end for future connection to a
154 reclaimed water main by others. The public reclaimed water system main shall be
155 temporarily connected to a public potable water main unless a serviceable
156 reclaimed water main is available to the Property. Total off-site construction of
157 reclaimed water main shall not exceed 320 linear feet.
- 158 (B) Landowner shall install a reclaimed water service and meters and connect to and
159 utilize reclaimed water systems (purple pipe) for all irrigation, cooling, and toilet
160 and urinal flushing uses on the Property.
- 161 (C) Landowner shall dual plumb for reclaimed water for use of non-potable water in
162 all buildings constructed on the Property after the effective date of this ordinance.
163
- 164 (D) Landowner shall construct each building on the Property to satisfy all
165 requirements in this Part 9. A building may use public potable water until public
166 reclaimed water is available to the Property.
167

168 **PART 10. Building Design.**

- 169 (A) Landowner shall design buildings on the Property to increase accessibility and
170 inclusive design by implementing guidelines established by Leadership in Energy
171 and Environmental Design (LEED) BD+C "Inclusive Design" pilot credit design
172 measures in the interior and exterior publicly accessible spaces.
- 173 (B) 20 percent of the ground floor perimeter frontage of a commercial or mixed use
174 building shall provide pedestrian-oriented uses as defined in City Code Section
175 25-2-691. If Landowner Obligations identified as PTS Easement in Part 15 is
176 satisfied, Landowner may locate the pedestrian-oriented uses on the building
177 level or building level immediately connecting to the passenger station for the
178 public transit system.

179 **PART 11. Community Amenities.**

- 180 (A) Landowner shall provide within a single building on the Property at least 450
181 square feet as community amenity space containing mixed-uses, allowing as
182 available and free of charge, the use of the community amenity space to persons
183 living within 0.25 miles of the Property.

- 184 (B) Landowner shall provide a minimum of 3,500 square feet onsite of commercial
185 space for lease onsite to independent retail, restaurant, or local franchisee whose
186 principal place of business is in the Austin standard metropolitan statistical area,
187 or a non-profit corporation. This requirement is effective for a period of 25 years
188 beginning on the date of tenant occupancy at a rental rate not to exceed eighty-
189 percent (80%) of the market rate for similarly sized and located commercial
190 space as determined by the Director of Economic Development Department.
- 191 (C) The requirement of Subsections (A) is waived if Landowner Obligations
192 identified as TPSS Greybox in Part 15 is satisfied.
- 193 (D) The requirement of Subsections (B) is modified to require a minimum of 1,500
194 square feet if Landowner Obligations identified as TPSS Greybox in Part 15 is
195 satisfied.

196 **PART 12. Environmental and Water Quality.**

197 For development on the Property Landowner shall comply with the following
198 requirements:

- 199 (A) Green Building Rating. All buildings on the Property shall achieve a three-star or
200 greater rating under the Austin Energy Green Building program using the
201 applicable rating version in effect at the time a rating registration application is
202 submitted for the building.
- 203
- 204 (B) Exceed by a minimum of 5,000 additional square feet street yard landscape area
205 requirements.
- 206
- 207 (C) Provide 100 percent water quality volume treated on site using Green Stormwater
208 Infrastructure (GSI) as defined in 1.6.7 of the Environmental Criteria Manual. If
209 Landowner Obligations described in Part 15 are satisfied the required water
210 quality volume treated on site using GSI for the Property shall be 50 percent.
- 211
- 212 (D) Maximum impervious cover on the Property is 80 percent.
- 213
- 214 (E) Austin Energy Green Building Star Rating System Light Pollution Reduction
215 Criteria ST7 as outlined in the 2022 Commercial Rating System (or latest
216 applicable version) for all buildings and site lighting using the following
217 assumptions:
- 218
- 219 (1) Along the south and west side of the Property is categorized as Lighting
220 Zone LZ3; and
221

222 (2) Along the north and east side of the Property is categorized as Lighting
223 Zone LZ2
224

225 (F) Comply with Option 2 of Austin Energy Green Building Star Rating System Bird
226 Collision Deterrence Criteria STEL5 as outlined in the 2022 Commercial Rating
227 System (or latest applicable version) for all buildings.
228

229 (G) All tree plantings shall be found in the Environmental Criteria Manual (ECM)
230 Appendix F (*Descriptive Categories of Tree Species*) and 100 percent of all
231 plantings shall be found in the Environmental Criteria Manual (ECM) Appendix
232 N (*City of Austin Preferred Plant List*) or City's "Grow Green Native and
233 Adapted Landscape Plants" guide.
234

235 (H) All new perimeter right-of-way trees installed shall be planted with a minimum
236 soil volume of 1,000 cubic feet at a minimum soil depth of 3 feet. Soil volume of
237 new perimeter right-of-way may be shared up to 25 percent between trees in
238 continuous plantings. Load bearing soil cells shall be used to meet the soil
239 volume requirement as needed. The city arborist or landscape reviewer may
240 approve reduction of the minimum soil volume if necessary to reduce utility
241 conflicts or address other constructability issues.
242

243 (I) Except when authorized by the city arborist or landscape reviewer, street trees
244 will change at every block. A minimum of five different approved tree species
245 shall be planted. Street trees will be a minimum of 3-inch caliper as measured 6
246 inches above grade at the time of planting. No more than 25% of street trees will
247 be from the same species.
248

249 (J) Street trees shall be planted at a maximum of 20 feet of centerline adjacent to the
250 right-of-way. If street trees cannot be located within the right-of-way, an
251 equivalent number of trees shall be planted onsite adjacent to the right-of-way.
252 The city arborist or landscape reviewer may waive this requirement for spacing
253 or number of trees when the spacing or quantity requirements are infeasible due
254 to location of infrastructure including utilities, driveways, and public
255 improvements.
256

257 (K) Provide approximately 18,000 square feet of porous pavement for all pedestrian
258 areas.
259

260 (L) 100 percent of the required landscape area will be irrigated using rainwater
261 harvesting or other non-potable source. If non-potable sources are depleted or

262 unavailable Landowner may supplement landscape with potable or reclaimed
263 water.

264
265 (M) Stormwater runoff from impervious surfaces will be directed to landscaped areas.
266 Required landscape area shall be equal to a minimum of 20 percent of the site
267 area.

268
269 (N) An Integrated Pest Management Plan will be required at site plan submittal.

270
271 (O) Provide 5,000 square feet of pollinator habitat. Plantings will be a minimum of 9
272 contiguous square feet.

273
274 **PART 13. Open Space.**

275 (A) Landowner shall satisfy the open space requirements as set out in this Part 13.

276 (B) Landowner shall provide 12,845 square feet (0.295 acres) of publicly accessible
277 and privately operated and maintained public open space (the "Public Open
278 Space") generally located as indicated on **Exhibit "C": Land Use Plan.**

279 (C) Landowner shall grant to City a public access easement over and across the
280 Public Open Space in a form approved by the city attorney prior to issuance of
281 the final certificate of occupancy for a vertical building on the Property.

282 (D) Landowner shall grant to City a public access easement providing ingress and
283 egress from East Riverside Drive to the Public Open Space including public
284 access between the Public Open Space in a form approved by the city attorney
285 prior to issuance of the final certificate of occupancy for a vertical building on
286 the Property.

287 **PART 14. Transportation.**

288 (A) Development of the Property is subject to the Transportation Impact Analysis
289 (TIA) memorandum from the Transportation and Public Works Department
290 (TPW) dated April 25, 2024, and as amended. The TIA memo limits the site
291 development to uses and intensities that will not exceed or vary from the
292 projected traffic conditions assumed in the final TIA.

293
294 (B) The applicant has agreed to Transportation Criteria Manual (TCM) standards for
295 all roadways and back-of-curb improvements, with the flexibility that the
296 required improvements may be modified as needed, per the approval of the
297 director of TPW, in consideration of public transit system improvements.
298

- 299 (C) Subject to rough proportionality limits, Landowner shall provide right-of-way
300 (ROW) dedication, in accordance with the Austin Strategic Mobility Plan
301 (ASMP), for adjacent roadways as required by director of TPW at the time of site
302 plan. Any ASMP required ROW and its associated rough proportionality
303 impacts shall be based on land uses and intensities encompassed within the
304 planned unit development (PUD) zoning boundaries at the time of effective date
305 of this ordinance.
- 306
- 307 (D) An above grade parking structure must be either architecturally integrated with
308 the associated building or screened from views from Lady Bird Lake, public
309 transit stations, and adjacent parkland.

310 **PART 15. Public Transit System.**

- 311 (A) Landowner shall satisfy the requirements as set out in this Part 15 (“Landowner
312 Obligations”).
- 313 (B) Public Transit System Easement. Notwithstanding other dedication or
314 transportation improvements as required by Code, Landowner shall grant to City,
315 City’s successor, assigns, or designee, an easement for accessing, locating,
316 installing, operating, and maintaining elevated infrastructure and ground level
317 appurtenances thereto for the public transit system, for a period of not less than
318 94 years, calculation of years beginning from the effective date of this ordinance,
319 over and across, that portion of the Property generally shown on **Exhibit “C”:**
320 **Land Use Plan** being a maximum of 13,000 square feet (the “PTS Easement”).
321 Final determination of the PTS Easement area square footage to be determined
322 by the Director of Transportation and Public Works (TPW).
- 323 (1) The Land Plan shall incorporate and illustrate the PTS Easement area as
324 shown on **Exhibit “C”:** **Land Use Plan** (PTS Easement Area) on the Land
325 Use Plan.
- 326
- 327 (2) Landowner may reserve non-exclusive ground level ingress and egress,
328 and uses not inferring with the scope of the PTS Easement, over and across
329 the Property, located below the elevated infrastructure for public transit
330 system. Uses not inferring with the scope of the PTS Easement shall
331 include ground level ingress and egress, water quality systems, and
332 pedestrian oriented uses.
- 333
- 334 (3) Landowner shall grant to City the PTS Easement at no cost to City, in a
335 form of easement acceptable to the City Attorney.
- 336

337 (4) Landowner is required to grant the PTS Easement to City on the earlier of
338 (a) within 5-years of the effective date of this ordinance; or (b) within 12-
339 months following the written request of the Director of TPW. If within 5
340 years of the effective date of this ordinance, City commences with the
341 acquisition of land for the public transit system located on, or located
342 within 2500 feet of the Property, the period to grant the PTS Easement in
343 (a) above shall be changed to 10 years of the effective date of this
344 ordinance.
345

346 (C) Traction Power Substation for the Public Transit System. Notwithstanding other
347 dedication or transportation improvements as required by Code, Landowner shall
348 provide and construct an unfinished space on the Property for a traction power
349 substation for the public transit system (the "TPSS Greybox"), with the following
350 minimum requirements:

- 351 (1) located within the ground floor;
352
353 (2) dimension of approximately 83 feet x 62 feet, with projected 14 foot
354 ceiling height; total area not to exceed 5200 usable square footage. Ceiling
355 height dimension shall be adjusted to less than 14 feet if the final design of
356 the TPSS Greybox accommodates an alternative ceiling height and as
357 approved by the Director of TPW.
358
359 (3) conforming to the 2021 International Energy Conservations Code
360 (example- walls, roof, and floor to be insulated; typical thickness of
361 components being approximately six feet in width);
362
363 (4) mechanical and utility space with allowable load of 150 pounds per square
364 foot (150 lbs./ft²); and
365
366 (5) required utilities:
367
368 (a) water (for humidification);
369 (b) sanitary service (for condensate drainage); and
370 (c) electric power for air-handling unit (AHU) operations (fans,
371 condensing units, electric heat, controls).
372
373 (6) Landowner construction of the TPSS Greybox is not required to begin
374 earlier than 18-months after 60 percent design of the public transit system
375 located within a 2,500 square foot radius of the Property is achieved and
376 acquisition of adjacent property within a 2,500 square foot radius of the
377 Property is commenced (the "TPSS Greybox Timeline").

378 (7) Landowner construction of the TPSS Greybox is required to be completed
379 within 36-months of the written request of the Director of TPW issued
380 after the TPSS Greybox Timeline.
381

382 (D) Traction Power Substation Easement. Notwithstanding other dedication or
383 transportation improvements as required by Code, Landowner shall provide the
384 space for the TPSS Greybox to City, City's successor, assigns, or designee, by
385 granting to City, or City assigns or designees, an easement for the TPSS
386 Greybox, including ingress and egress from public right-of-way, locating,
387 installing and maintaining the TPSS Greybox and all utilities, for a period of not
388 less than 94 years, calculation of years beginning from the effective date of this
389 ordinance (the "TPSS Easement").

390 (1) Landowner shall grant the TPSS Easement at no cost to City, in a form of
391 easement acceptable to the City Attorney.
392

393 (2) Landowner shall grant the TPSS Easement not earlier than 18-months after
394 60 percent design of the public transit system located within a 2,500 square
395 foot radius of the Property is achieved and acquisition of adjacent property
396 within a 2,500 square foot radius of the Property is commenced but shall
397 occur not later than 36-months of the written request of the Director of
398 TPW.
399

400 (E) If due to the impracticality or impossibility of completion of the public transit
401 system as determined by the Director of TPW, with such determination provided
402 to Landowner in writing, Landowner may no longer be required to provide the
403 PTS Easement, the TPSS Greybox, or the TPSS Easement. If notified of
404 impracticality or impossibility prior to satisfying the requirements of the PTS
405 Easement, the TPSS Greybox, or the TPSS Easement, Landowner shall not claim
406 West Building Offset of In-Lieu Donation and shall satisfy the affordable
407 housing requirement as set out in Part 7.
408

409 (F) In the event Landowner partially satisfies Landowner Obligations, the amounts
410 available for West Building Offset of In-Lieu Donation are as follows:
411

412 (1) the PTS Easement- \$4,500,000.00
413

414 (2) the TPSS Greybox and the TPSS Easement - \$3,500,000.00
415
416
417
418

419 **PART 16. Code Modifications.** In accordance with Chapter 25-2, Subchapter B, Article 2,
420 Division 5 (*Planned Unit Development*) of the Code, the following site development
421 regulations apply to the 200 East Riverside PUD instead of otherwise applicable City
422 regulations:

423 (A) Zoning

- 424
- 425
- 426 (1) City Code Section 25-2-144(D) (*Planned Unit Development (PUD)*
427 *District Designation*) and 25-2, Subchapter B, Article 2, Division 5,
428 Section 2.3.1(L) are modified to allow the 200 East Riverside PUD to
429 include less than 10 acres of land without being characterized by special
430 circumstances.
- 431 (2) Section 25-2-491 (*Permitted, Conditional and Prohibited Uses*) is
432 modified to establish the specific set of permitted, conditional, and
433 prohibited uses on the Property in **Exhibit "C": Land Use Plan.**
- 434
- 435 (3) Section 25-2-492 (*Site Development Regulations*) is modified to establish
436 the principal site development regulations applicable to the Property in
437 **Exhibit "C": Land Use Plan.**
- 438
- 439 (4) City Code Section 25-2-742(F) (*South Shore Central Subdistrict*
440 *Regulations*) shall not apply to the Property.
- 441
- 442 (5) City Code Section 25-2-742(G)(4) (*South Shore Central Subdistrict*
443 *Regulations*) is modified to allow a maximum building height of 500 feet.
- 444
- 445 (6) City Code Chapter 25-2, Subchapter E, Section 3.2 (*Glazing and Façade*
446 *Relief Requirements*) shall not apply to a vertical building containing the
447 TPSS Greybox.

448 (B) Transportation

449

450

451 City Code Section 25-6-532 (*Off-Street Loading Standards*) is modified to allow
452 shared loading and unloading spaces for the various uses on the Property
453 regardless of where the use or loading and unloading is located within the
454 Property.

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EXHIBIT “ ____ ”

Legal Description

BEING A DESCRIPTION OF A TRACT OF LAND CONTAINING 3.9555 ACRES (172,301 SQUARE FEET) OF LAND MORE OR LESS, BEING OUT OF ISAAC DECKER SURVEY NO. 20, ABSTRACT NO. 8 IN TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.955 ACRE LEASE TRACT FROM GARWALD COMPANY, INC. TO 200 E. RIVERSIDE, LLC, RECORDED IN DOCUMENT NO. 2019011895 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS (O.R.R.T.C.T.), AND BEING A PORTION OF A CALLED 6.951 ACRE TRACT CONVEYED TO GARWALD COMPANY, INC. IN VOLUME 10565, PAGE 321 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS (R.P.R.T.C.T.) AND IN VOLUME 5692, PAGE 1763 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.T.), SAID 3.9555 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at a 1/2-inch iron pipe found the north corner of said 3.955 acre lease tract, being in the northwest line of said 6.951 acre tract, being in the southeast line of Lot A, Mae Crockett Estate Subdivision No. 2, a subdivision recorded in Volume 77, Page 232 of the Plat Records of Travis County, Texas (P.R.T.C.T.), said Lot A having been conveyed to Mae Crockett Partners, Ltd. in Document No. 2017093381 (O.P.R.T.C.T.), being in the southeast line of a 60' private access easement as dedicated in said Mae Crockett Estate Subdivision, and being the west corner of Lot 1, Riverside Square subdivision, a subdivision recorded in Document No. 200600245 (O.P.R.T.C.T.), said Lot 1, Riverside Square having been conveyed to CWS Riverside Square, L.P. (described as "Tract 1") in Document No. 2014181757 (O.P.R.T.C.T.), for the north corner and **POINT OF BEGINNING** hereof, from which a 1/2-inch pipe found for an angle point in the east line of said Lot A, being in the northwest line of said Lot 1, Riverside Square, and being an angle point in the south line of Lot 1, Miller Subdivision, a subdivision recorded in Volume 77, Page 284 (P.R.T.C.T.), said Lot 1, Miller Subdivision having been conveyed to Richard T. Suttle, Jr., as trustee, in Document No. 2015198181 (O.P.R.T.C.T.), bears, N37°38'13"E, a distance of 105.10 feet;

THENCE, with the northeast line of said 3.955 acre lease tract, over and across said 6.951 acre tract, and with the southwest line of said Lot 1, Riverside Square, **S36°09'46"E**, a distance of **457.21** feet to a 1/2-inch iron rod found for the east corner hereof, said point being the east corner of said 3.955 acre lease tract, being in the southeast line of said 6.951 acre tract, being the south corner of said Lot 1, Riverside Square, and being in the northwest line of a called 3.889 acre tract conveyed to CWS Riverside 300, L.P. in Document No. 2006204578 (O.P.R.T.C.T.), from which a mag nail found in concrete for the east corner of said 6.951 acre tract, being the east corner of said Lot 1, Riverside Square, being the north corner of said 3.889 acre tract, bears, N53°49'25"E, a distance of 165.28 feet;

THENCE, with the southeast line of said 3.955 acre lease tract, with the southeast line of said 6.951 acre tract, and with the northwest line of said 3.889 acre tract, **S53°49'25"W**, a distance of **441.95** feet to a mag nail in concrete found for the south corner hereof, said point being in the northeast right-of-way line of East Riverside Drive (right-of-way varies), being the south corner of said 3.955 acre lease tract, and being the south corner of said 6.951 acre tract;

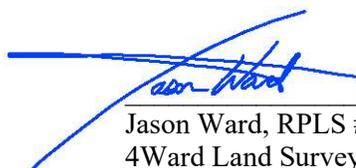
THENCE, with the northeast right-of-way line of said East Riverside Drive, with the southwest line of said 3.955 acre lease tract, and with the southwest line of said 6.951 acre tract, the following three (3) courses and distances:

- 1) **N26°28'10"W**, a distance of **0.11** feet to a calculated point for a point of curvature hereof,
- 2) Along a curve to the left, whose radius is **636.21** feet, whose arc length is **146.23** feet, and whose chord bears **N33°03'39"W**, a distance of **145.91** feet to a 1/2-inch iron rod found for a point of tangency hereof, and
- 3) **N39°39'43"W**, a distance of **182.51** feet to a calculated point for the west corner hereof, said point being the west corner of said 3.955 acre lease tract, being the west corner of said 6.951 acre tract, and being the south corner of said Lot A, Mae Crockett Estate Subdivision, from which a 1/2-inch iron rod found bears **N14°12'39"W**, a distance of 0.67 feet, also from which a 1/2-inch iron rod found in the northeast right-of-way line of said East Riverside Drive, being the west corner of said Lot A, Mae Crockett Estate, and being the south corner of Lot 1, Mae Crockett Estate Subdivision, a subdivision recorded in Volume 75, Page 123 (P.R.T.C.T.), bears, **N39°39'43"W**, a distance of 358.58 feet;

THENCE, leaving the northeast right-of-way line of said East Riverside Drive, with the northwest line of said 3.955 acre lease tract, with the northwest line of said 6.951 acre tract, and with the southeast line of said Lot A, same being the southeast line of said 60' private access easement, **N37°38'13"E**, a distance of **463.58** feet to the **POINT OF BEGINNING** and containing 3.9555 Acres (172,301 Square Feet) of land, more or less.

NOTE:

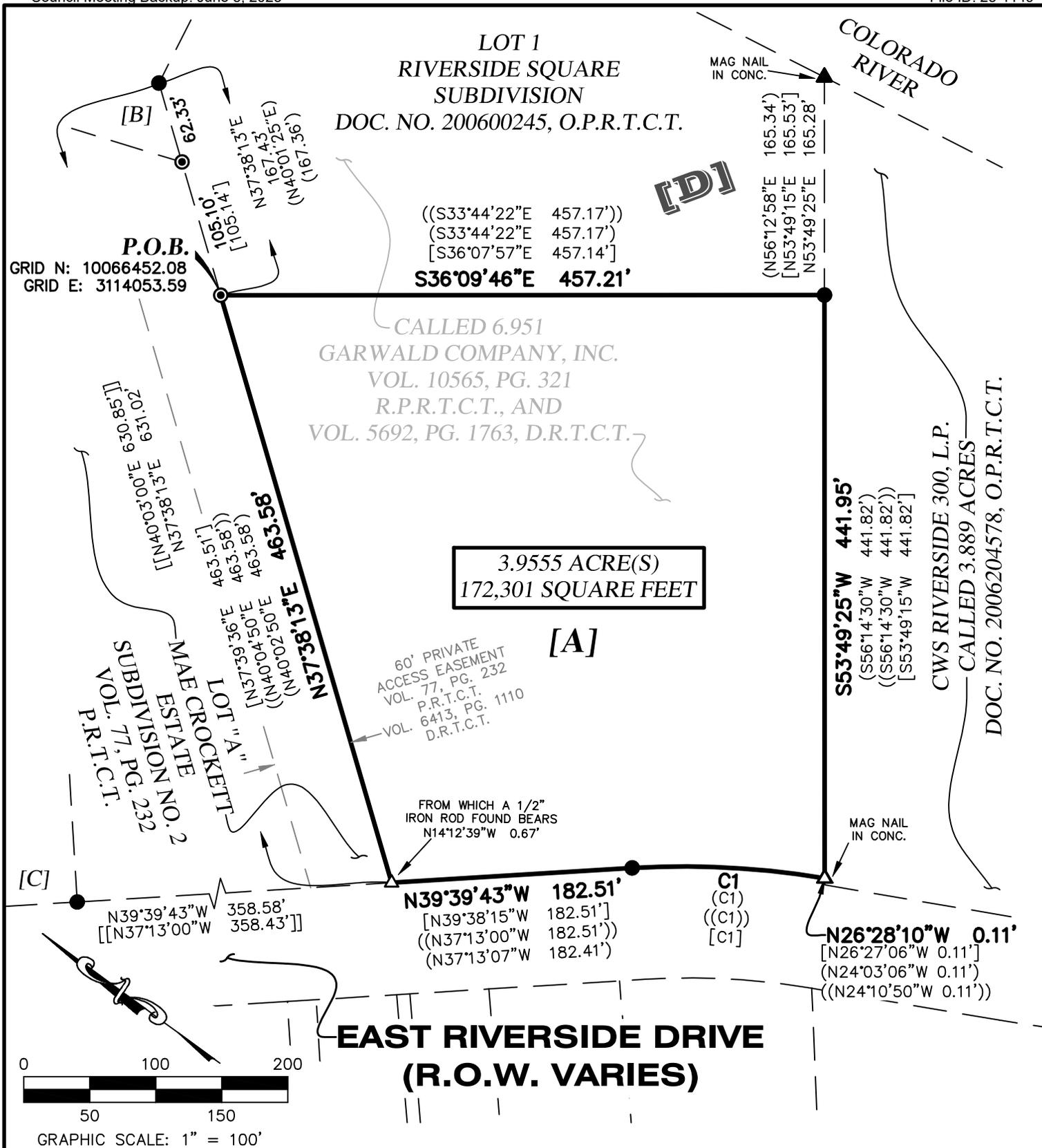
All bearings are based on the Texas State Plane Coordinate System, Grid North, Central Zone (4203), all distances were adjusted to surface using a combined scale factor of 1.000055574278. See attached sketch (reference drawing: 01332 Exhibit.dwg).



1/26/2022

Jason Ward, RPLS #5811
4Ward Land Surveying, LLC





**EXHIBIT FOR
3.9555 ACRES
City of Austin,
Travis County, Texas**

4WARD
Land Surveying
A Limited Liability Company

PO Box 90876, Austin Texas 78709
INFO@4WARDLS.COM (512) 537-2384
TBPELS FIRM #10174300

Date:	1/26/2022
Project:	01332
Scale:	1" = 100'
Reviewer:	DV
Tech:	DV
Field Crew:	SV/JJ
Survey Date:	NOV. 2021
Sheet:	1 OF 2

[A]
CALLED 3.955 ACRE
LEASE TRACT
LESSOR: GARWALD
COMPANY, INC.
LESSEE: 200 E. RIVERSIDE, LLC
DOC. NO. 2019011895, O.P.R.T.C.T.
OWNER: GARWALD
COMPANY, INC.
3.955 ACRE REMAINDER
OF 6.951 ACRES
10565, PG. 321, R.P.R.T.C.T., AND
5692, PG. 1763, D.R.T.C.T.

<p>[B] LOT 1 MILLER SUBDIVISION VOL. 77, PG. 284 P.R.T.C.T.</p>	<p>[C] LOT 1, MAE CROCKETT ESTATE SUBDIVISION VOL. 75, PG. 123 P.R.T.C.T.</p>
--	--

[D]
ISAAC DECKER
LEAGUE
SURVEY NO. 20
ABSTRACT NO. 8

LEGEND	
—————	PROPERTY LINE
- - - - -	EXISTING PROPERTY LINES
●	1/2" IRON ROD FOUND (UNLESS NOTED)
⊙	1/2" IRON PIPE FOUND (UNLESS NOTED)
△	CALCULATED POINT
▲	NAIL FOUND AS NOTED
VOL./PG.	VOLUME, PAGE
DOC. NO.	DOCUMENT NUMBER
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY
P.R.T.C.T.	PLAT RECORDS, TRAVIS COUNTY, TEXAS
R.P.R.T.C.T.	REAL PROPERTY RECORDS, TRAVIS COUNTY, TEXAS
O.P.R.T.C.T.	OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS
D.R.T.C.T.	DEED RECORDS, TRAVIS COUNTY, TEXAS
(.....)	RECORD INFORMATION PER PLAT DOC. NO. 200600245
[.....]	RECORD INFORMATION PER DEED DOC. NO. 2019011895
[[.....]]	RECORD INFORMATION PER PLAT VOL. 77, PG. 232
((.....))	RECORD INFORMATION PER DEED VOL. 11956 PG. 1468

NOTES:

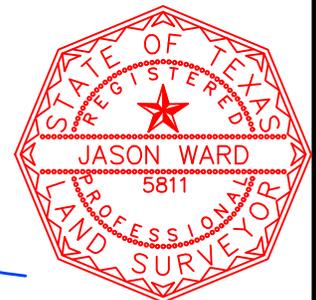
1) ALL BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE, (4203), NAD83, ALL DISTANCES WERE ADJUSTED TO SURFACE USING A COMBINED SCALE FACTOR OF 1.000055574278.

2) SEE ATTACHED METES AND BOUNDS DESCRIPTION.

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
C1	636.21'	146.23'	13°10'10"	N33°03'39"W	145.91'

RECORD CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
(C1)	636.21'	146.38'	13°10'59"	N30°38'53"W	146.06'
((C1))	636.21'	146.38'	13°10'59"	N30°38'53"W	146.06'
[C1]	636.21'	146.38'	13°10'59"	N30°38'53"W	146.06'

Jason Ward
 1/26/2022



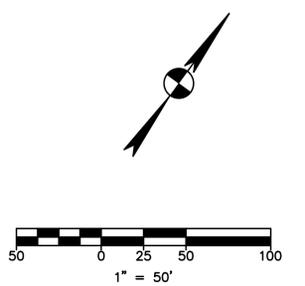
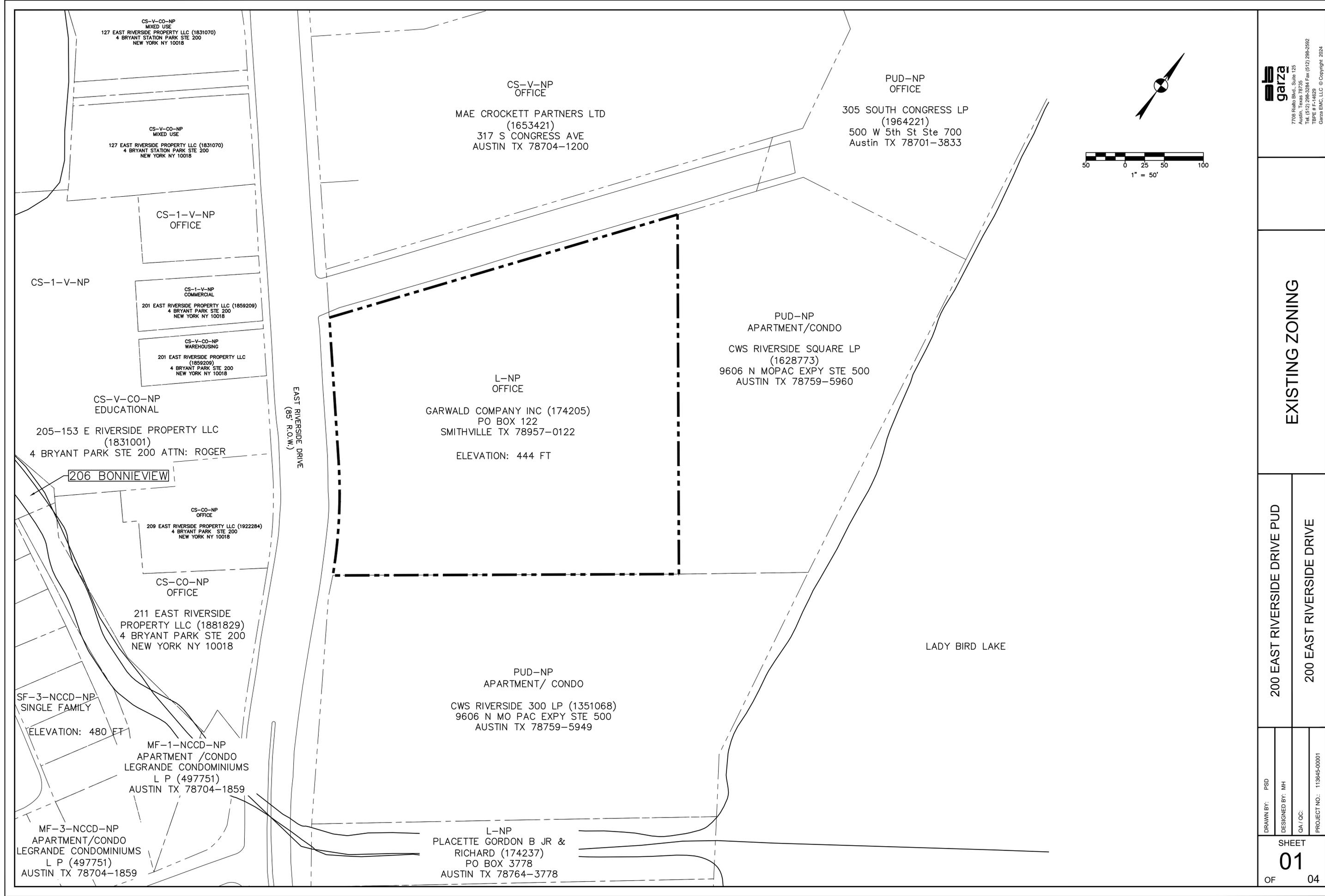
TCAD PARCEL187830
COA GRID #J21

EXHIBIT FOR
3.9555 ACRES
City of Austin,
Travis County, Texas



PO Box 90876, Austin Texas 78709
 INFO@4WARDLS.COM (512) 537-2384
 TBPELS FIRM #10174300

Date:	1/26/2022
Project:	01332
Scale:	N/A
Reviewer:	DV
Tech:	DV
Field Crew:	SV/JJ
Survey Date:	NOV. 2021
Sheet:	2 OF 2



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TBP# F-14629
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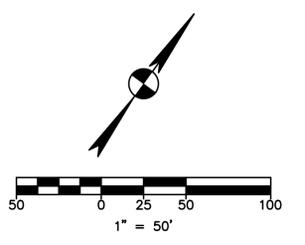
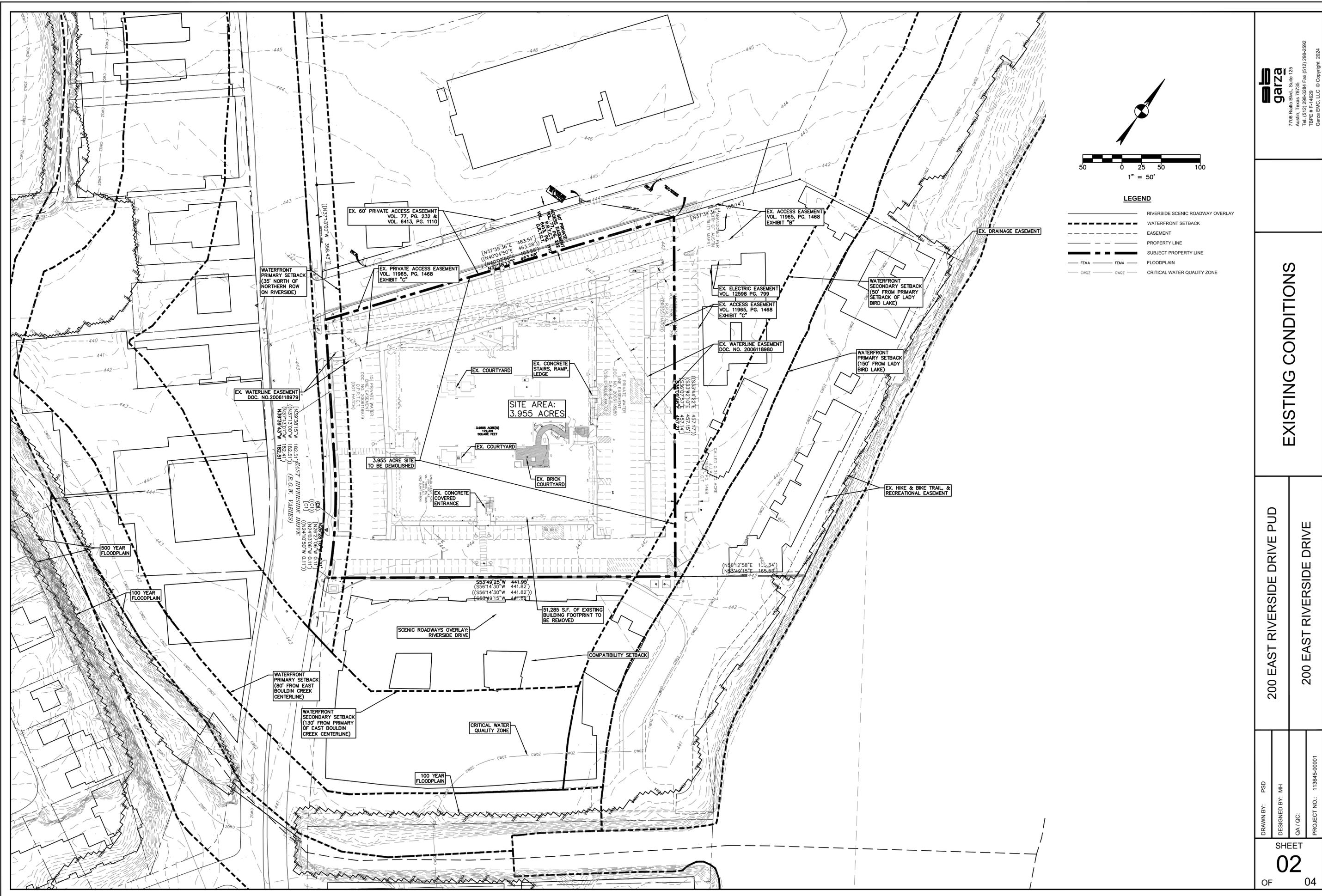
EXISTING ZONING

200 EAST RIVERSIDE DRIVE PUD

200 EAST RIVERSIDE DRIVE

DRAWN BY: PSD
DESIGNED BY: MH
QA / OC:
PROJECT NO.: 113645-0001

SHEET
01
OF 04



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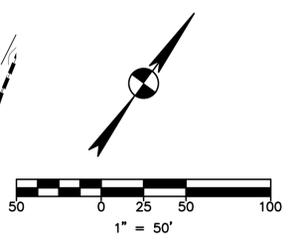
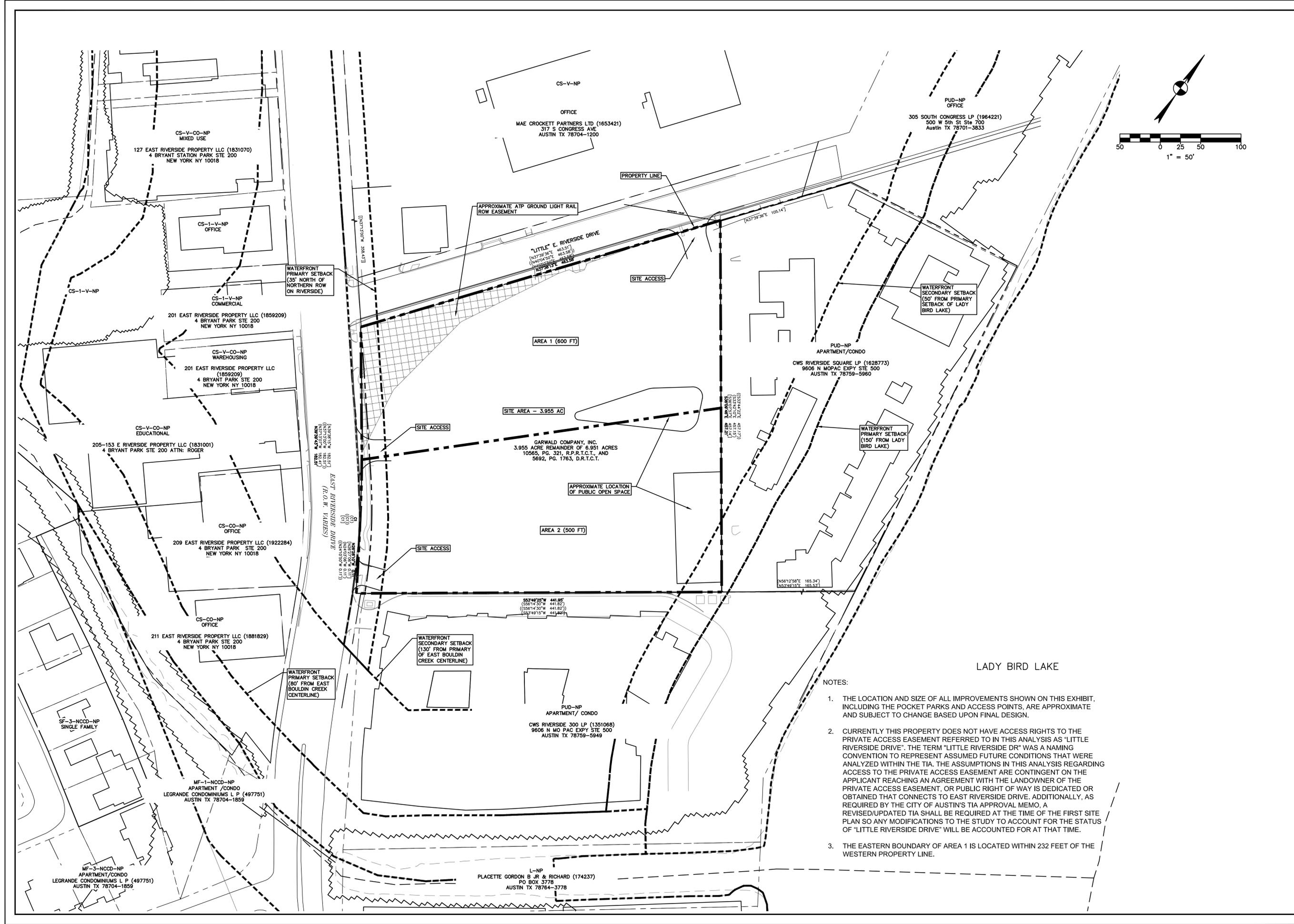
EXISTING CONDITIONS

200 EAST RIVERSIDE DRIVE PUD
 200 EAST RIVERSIDE DRIVE

DRAWN BY: PSD
 DESIGNED BY: MH
 QA / OC:
 PROJECT NO.: 113645-0001

SHEET
02
 OF 04

V:\113645-0001\CADD\EXHIBITS\PUD EXHIBITS\113645-0001-EX-COND.dwg modified by rhpaz on Aug 7, 24 1:40 PM



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LAND USE

200 EAST RIVERSIDE DRIVE PUD

200 EAST RIVERSIDE DRIVE

DRAWN BY: PSD
 DESIGNED BY: MH
 QA / OC:
 PROJECT NO.: 113645-0001

SHEET
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 OF 04

- NOTES:
1. THE LOCATION AND SIZE OF ALL IMPROVEMENTS SHOWN ON THIS EXHIBIT, INCLUDING THE POCKET PARKS AND ACCESS POINTS, ARE APPROXIMATE AND SUBJECT TO CHANGE BASED UPON FINAL DESIGN.
 2. CURRENTLY THIS PROPERTY DOES NOT HAVE ACCESS RIGHTS TO THE PRIVATE ACCESS EASEMENT REFERRED TO IN THIS ANALYSIS AS "LITTLE RIVERSIDE DRIVE". THE TERM "LITTLE RIVERSIDE DR" WAS A NAMING CONVENTION TO REPRESENT ASSUMED FUTURE CONDITIONS THAT WERE ANALYZED WITHIN THE TIA. THE ASSUMPTIONS IN THIS ANALYSIS REGARDING ACCESS TO THE PRIVATE ACCESS EASEMENT ARE CONTINGENT ON THE APPLICANT REACHING AN AGREEMENT WITH THE LANDOWNER OF THE PRIVATE ACCESS EASEMENT, OR PUBLIC RIGHT OF WAY IS DEDICATED OR OBTAINED THAT CONNECTS TO EAST RIVERSIDE DRIVE. ADDITIONALLY, AS REQUIRED BY THE CITY OF AUSTIN'S TIA APPROVAL MEMO, A REVISED/UPDATED TIA SHALL BE REQUIRED AT THE TIME OF THE FIRST SITE PLAN SO ANY MODIFICATIONS TO THE STUDY TO ACCOUNT FOR THE STATUS OF "LITTLE RIVERSIDE DRIVE" WILL BE ACCOUNTED FOR AT THAT TIME.
 3. THE EASTERN BOUNDARY OF AREA 1 IS LOCATED WITHIN 232 FEET OF THE WESTERN PROPERTY LINE.

SITE DEVELOPMENT REGULATIONS

Total Site Area		172,280 sq.ft/3.955 ac
Minimum Lot Size		5,750 sq. ft.
Minimum Lot Width		50 ft.
Maximum Height - Area 1		600 ft.
Maximum Height - Area 2		500 ft.
Maximum Impervious Cover		80%
Maximum Building Coverage		80%
Maximum Floor Area Ratio		25:1
Minimum Setbacks	Front Yard	10 ft.
	Street Side Yard	10 ft.
	Interior Side Yard	N/A
	Rear Yard	N/A

*Base District L

**Impervious cover/building coverage/floor to area ratio is based on gross site area of all land within the PUD. Impervious cover/building coverage/floor to area ratio will be higher on a parcel by parcel calculation.

LAND USE INTENSITIES

Maximum Residential Units	897
Maximum Hotel Keys	513
Maximum Office	1,286,619 sq. ft
Maximum Retail/Food Beverage	31,631 sq. ft.

* LAND USE INTENSITIES NOTED ABOVE MAY CHANGE SO LONG AS DEVELOPMENT SUBJECT TO THE PUD ADHERES TO THE TRIP LIMITATION OUTLINED IN THE TIA DATED MARCH 20, 2024 AND ANY SUBSEQUENT AMENDMENTS TO THE TIA.

PERMITTED USES

Administrative and Business Offices	Private Primary Educational Facilities	Hotel/Motel
Bed and Breakfast (Group 1)	Private Secondary Educational Facilities	Indoor Entertainment
Bed and Breakfast (Group 2)	Public Primary Educational Facilities	Indoor Sports and Recreation
Club or Lodge	Public Secondary Educational Facilities	Medical Offices
College and University Facilities	Religious Assembly	Multifamily Residential
Community Events	Safety Services	Off-Site Accessory Parking
Community Recreational (Private)	Short-Term Rental (Type 1, 2 and 3)	Outdoor Sports and Recreation
Community Recreational (Public)	Townhouse Residential	Personal Improvement Services
Condominium Residential	Art Gallery	Personal Services
Counseling Services	Art Workshop	Pet Services
Cultural Services	Commercial Off-Street Parking	Professional Office
Custom Manufacturing	Communications Services	Restaurant (General)
Day Care Services (Commercial)	Consumer Convenience Services	Restaurant (Limited)
Day Care Services (Limited)	Consumer Repair Services	Retirement Housing (Large Site)
Day Care Services (General)	Food Preparation	Software Development
Family Homes	Food Sales	Theater
Group Home: Class I (General)	Financial Services	Community Garden
Group Home: Class I (Limited)	General Retail Sales (General)	Hospital Services (Limited)
Group Home: Class II	General Retail Sales (Convenience)	Residential Treatment
Group Residential	Guidance Services	Local Utility Services
Transitional Housing	Congregate Living	Performance Venue

LAND USE NOTES:

1. THE SIZE, CONFIGURATION AND LOCATION OF THE DRIVEWAYS AS SHOWN ON SHEET NO. 3 IS AN APPROXIMATION FOR ILLUSTRATION PURPOSES. SUBJECT TO CITY APPROVAL, THE OWNER WILL ESTABLISH AND SET FORTH THE SIZE, CONFIGURATION AND LOCATION OF THE DRIVEWAYS AT THE TIME OF SITE DEVELOPMENT PERMIT.
2. NO GATED PUBLIC ROADWAYS WILL BE PERMITTED WITHIN THE PUD.
3. RAIN GARDENS WILL BE DESIGNED TO WATER QUALITY AND DRAINAGE STANDARDS OF THE CITY'S LAND DEVELOPMENT CODE, ENVIRONMENTAL CRITERIA MANUAL, AND DRAINAGE CRITERIA MANUAL.
4. THE PUD WILL PROVIDE A MINIMUM OF 6,500 SQUARE FEET OF PRIVATE AMENITY SPACE INCORPORATED OVER THE GARAGE OR WITHIN THE BUILDINGS.
5. THE PUD WILL ACHIEVE A MINIMUM OF NINE (9) POINTS UNDER THE BUILDING DESIGN OPTIONS OF SECTION 3.3.2 OF CHAPTER 25-2, SUBCHAPTER E (DESIGN STANDARDS AND MIXED USE).
6. THE PUD WILL COMPLY WITH THE CITY'S DARK SKY REGULATIONS BASED ON THE S17 LIGHT POLLUTION REDUCTION CRITERIA.
7. AS THE PROJECT'S DESIGN IS FURTHER DEVELOPED, THE PROJECT PROPOSES TO INCLUDE ADDITIONAL ACCESSIBILITY FEATURES TO EXCEED LOCAL LEGAL REQUIREMENTS INCLUDING, BUT NOT LIMITED TO, ADDITIONAL ACCESSIBLE RESTROOMS AND SHOWER STALLS.
8. IN ADDITION TO ASMP AND TCM REQUIREMENTS, AND IN FULFILLMENT OF TIER II SUPERIORITY ELEMENTS, THE PROJECT SHALL PROVIDE WAYFINDING AND GREATER PEDESTRIAN AND BICYCLE TRAFFIC SAFETY ELEMENTS ADJACENT TO THE SUBJECT PROPERTY, SUBJECT TO MEASURES AND LOCATIONS APPROVED BY THE DIRECTOR.
9. ELECTRICAL EASEMENTS SHALL BE REQUIRED FOR ALL DEVELOPMENTS. THEIR LOCATIONS AND SIZE ONSITE WILL BE DETERMINED AT THE SUBDIVISION PLAT/SITE PLAN SUBMITTAL AND MAY REQUIRE MORE SPACE THAN THE MINIMUM BUILDING SETBACK.

PROHIBITED USES

Equipment Repair Services	Extermination Services	Bail Bond Services
Pedicab Storage and Dispatch	Employee Recreation	Pawn Shop Services
Funeral Services	Laundry Services	Commercial Blood Plasma Center
Automotive Washing	Business or Trade School	Research Services
Monument Retail Services	Plant Nursery	Drop-Off Recycling Collection Facilities
Campground	Construction Sales and Services	Transportation Terminal
Printing and Publishing Services	Service Station	Indoor Crop Production
Convenience Storage	Electronic Prototype Assembly	Building Maintenance Services
Vehicle Storage	Agricultural Sales and Services	Hospital Services (General)
Alternative Financial Services	Urban Farm	
Limited Warehousing and Distribution	Maintenance and Service Facilities	
Business Support Services	Equipment Sales	
Electronic Testing	Automotive Repair Services	
Adult-Oriented Business	Kennels	

CONDITIONAL USES

Automotive Rentals	Automotive Sales	Cocktail Lounge
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NOTES & SUMMARY

200 EAST RIVERSIDE DRIVE PUD

200 EAST RIVERSIDE DRIVE

DRAWN BY: PSD

DESIGNED BY: MH

QA / QC:

PROJECT NO.: 113645-0001

SHEET
04
OF 04