

5. PROPOSED DEVELOPMENT STANDARDS

The proposed development standards presented in this section of the Master Plan are intended to regulate the form and treatment of private and public development: to reinforce the vision of Waller Creek as a linear greenway and riparian corridor, to enhance public access to and along the corridor and to encourage activities that promote reinvestment and revitalization throughout the Waller Creek District (“the District”) and the Downtown beyond. These development standards are not in and of themselves amendments to the Land Development Code, and therefore have no regulatory effect. They are a recommended framework for what could become code amendments. If the City Council were to approve these standards, then City staff would develop proposed code amendments, which would go through the standard Board and Commission and Council approval process, and if approved, would become part of the Land Development Code.

The standards include regulations governing all development within the District, as well as standards that are specific only to a certain sub-district. Like the creek corridor itself, the District has a diversity of conditions and characteristics, which offer distinct opportunities to both enhance the creek experience and to promote revitalization and reinvestment along its length. (See Figure 10: District Boundaries and Sub-Districts) The six sub-districts of the Waller Creek District include:

- 1. Creekmouth/Lakefront Sub-District:** including publicly and privately-owned properties south of Cesar Chavez, fronting Waller Creek and Lady Bird Lake parkland;
- 2. Cesar Chavez Gateway Sub-District:** including the properties on either side of Cesar Chavez Street between IH 35 and Red River Street, and along the southern edge of Palm Park;
- 3. Convention Center Sub-District:** including facilities and land on both sides of Red River Street controlled by the City of Austin’s Convention Center Department and the Iron Works BBQ restaurant at the corner of Red River Street and Cesar Chavez Street;

- 4. Third to Seventh Street Sub-District:** including properties between IH 35 and Red River Street, which are oriented to Palm Park, Waller Creek and the proposed Sabine Street Promenade;
- 5. Seventh to Tenth Street Sub-District:** including the City-owned Austin Police Department (APD) complex and Waller Creek Center on the eastern banks of the creek, and Stubb’s and other live music clubs on the western banks; and
- 6. Tenth to Twelfth Street Sub-District:** including the City-owned Symphony Square and Symphony Plaza sites at Eleventh and Red River streets, the Sheraton Hotel and Velocity Credit Union on the eastern banks of the creek, and the Texas Workforce Commission on the western bank.

Relationship to Downtown Austin Plan (DAP): As Waller Creek District is one of nine districts that have been established by the Downtown Austin Plan (DAP), the policy recommendations and development standards of this Master Plan will be incorporated within the overall Downtown Austin Plan, which is being prepared concurrently. The boundaries of the Waller Creek District are shown on Figure 10 and generally include the blocks abutting the creek between Lady Bird Lake on the south and Waterloo Park on the north. While the DAP is proposing generally that the existing underlying zoning be maintained throughout the Downtown to regulate basic height and density, these development standards propose additional regulations related to the form and treatment of development and its relationship to the public realm. The standards are intended to govern all development within the Waller Creek District of the DAP, describing proposed amendments to the provisions of the City’s existing zoning code.



FIGURE 10: DISTRICT BOUNDARIES AND SUB-DISTRICTS

Relationship to Existing Zoning: Much of the Waller Creek District is zoned Central Business District (CBD) which provides for unlimited height, and densities ranging from a Floor Area Ratio (FAR) of 8:1 to 12:1. (See Figure 11: Existing Zoning and Overlay Districts) Several properties within the District are zoned Downtown Mixed Use (DMU) which allows for buildings up to 120 feet in height and a FAR limit of 5:1. The only proposed change to properties zoned CBD is to make Cocktail Lounge uses on CBD-zoned properties “conditional” in order to regulate their potential overconcentration, as has been experienced along East Sixth Street (see discussion below). Under the provisions of the DAP, the Waller Creek District would be eligible to participate in the proposed Downtown Density Bonus Program, allowing up to a maximum density of 25:1 FAR.

Proposed Zoning Changes: Several properties north of Eighth Street within the District have Commercial Services (CS) zoning, which limits development to a maximum height of 60 feet and to an FAR of 2:1. Since this zoning designation allows auto-oriented and other uses that are no longer appropriate to a revitalized Waller Creek or Downtown, the Master Plan recommends that these sites be rezoned to either CBD or DMU. (See Figure 12: Proposed Base Zoning Changes) In addition, it is proposed that the Palm School site at Cesar Chavez Street and the IH 35 frontage road be rezoned from GR-H (Community Commercial with Historic zoning) to CBD-H which would allow for historic preservation and adaptive reuse of the historic school building and infill development, as described below. With this rezoning, all properties within the Waller Creek District could accommodate the full range of uses permitted under CBD and DMU.

Overlay Districts: The Waller Creek District is also governed by several overlay districts including the following.

- The Capitol View Corridor (CVC) Overlay District includes 13 view corridors traversing the Waller Creek District, six of which originate from IH 35. Height limits beneath these view planes range from less than 50 feet (in the vicinity of Eighth Street and IH 35) to heights of approximately 130 feet on the APD site between Seventh and Eighth streets. (The Waller Creek District Master Plan proposes no change to these corridors or height limits.) (See Land Development Code (LDC) Chapter 25-2, Division 5)

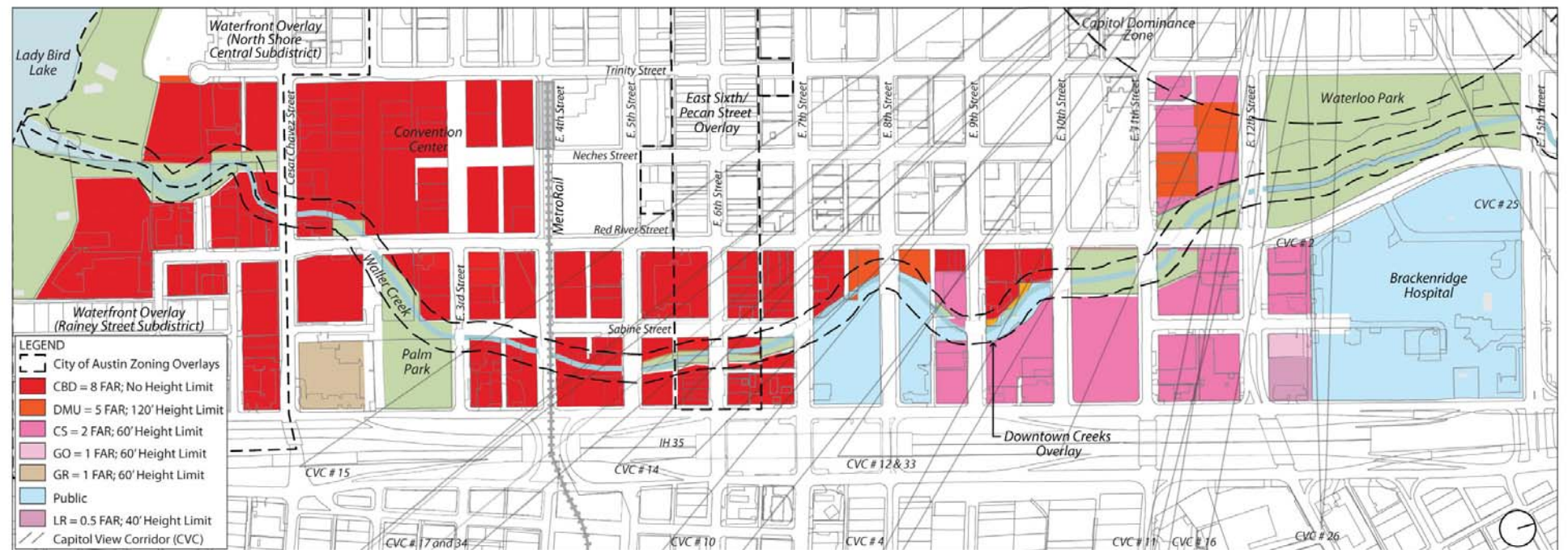


FIGURE 11: EXISTING ZONING AND OVERLAY DISTRICTS

Note: Convention Center Overlay is located between Sixth Street, Congress Avenue, Waller Street and Lady Bird Lake.

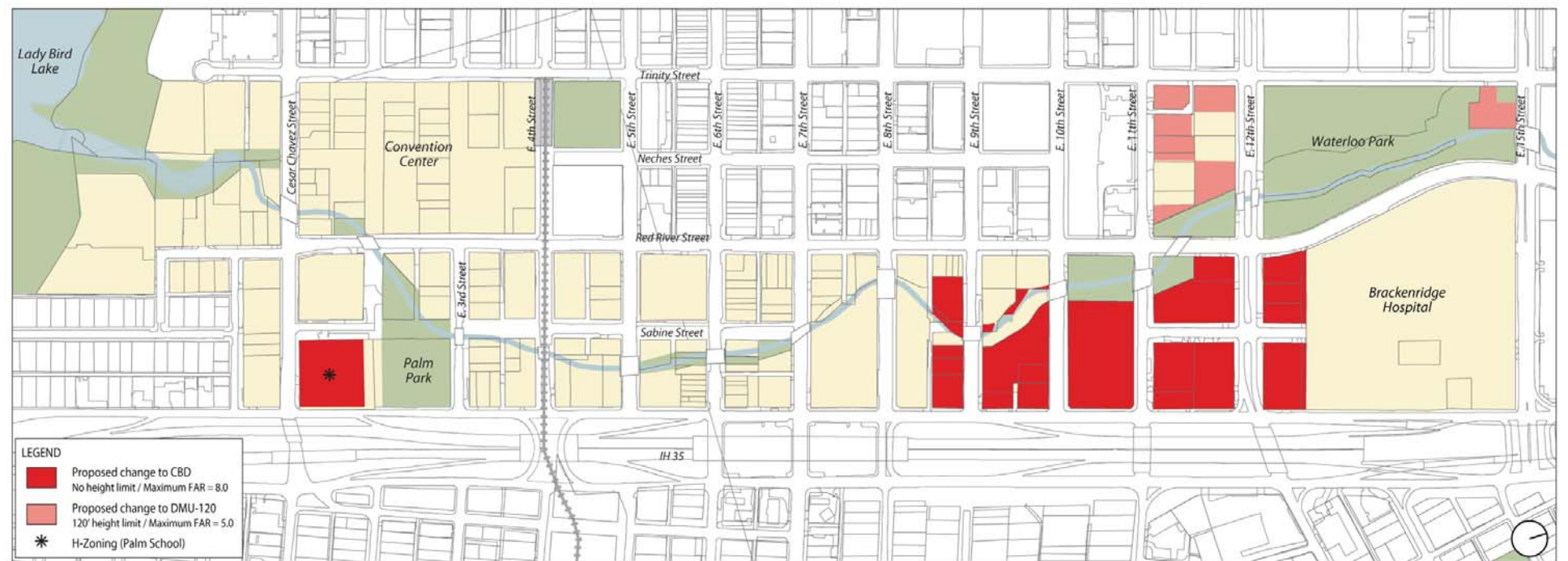


FIGURE 12: PROPOSED BASE ZONING CHANGES

- The Waterfront Overlay District (North Shore Central and Rainey Street Sub-Districts) provides specific standards related to ground-level uses, building massing and density bonuses for properties south of Cesar Chavez Street and along Lady Bird Lake and Waller Creek. (See LDC Chapter 25-2, Division 8) While no changes are proposed along the Lady Bird Lake frontage, the Master Plan proposes some modifications to the massing and ground-level use requirements within the Rainey Street and North Shore Central sub-districts, as described below. The Council-appointed Waterfront Overlay Board is currently reviewing the density bonus provisions of the Waterfront Overlay District to consider their possible revision. As part of the ordinance preparation process, the Master Plan recommendations will be reconciled with the provisions of the Waterfront Overlay District.
- The East Sixth/Pecan Street Overlay District was established to protect the many intact mercantile buildings along the properties fronting East Sixth Street with a maximum height limit of 45 feet. No changes are proposed to the provisions of this overlay district. (See LDC Chapter 25-2, Division 5)
- The Downtown Creeks Overlay District establishes a maximum height limit of 60 feet on the portion of properties within 60 feet of the

centerline of Waller Creek. The development standards set forth in this Master Plan maintain this requirement. (See LDC Chapter 25-2, Division 5)

- The Convention Center Overlay District was established to limit the construction of surface parking lots in the area between Congress Avenue, Waller Street, East Sixth Street and Lady Bird Lake, surrounding the Convention Center. (See LDC Chapter 25-2, Division 5) The development standards of this Master Plan would achieve this goal by: 1) requiring pedestrian-oriented, ground-level uses along street frontages, and 2) by establishing specific criteria for “off-site accessory parking”, which is currently a Conditional Use under CBD and DMU-zoned properties, as discussed below. (To the extent there is conflict between the provisions of the Waller Creek District Master Plan and those of the Convention Center Overlay District, the provisions of the Master Plan should control.)

Heritage and Protected Trees: The City of Austin Land Development Code provides for the protection of mature trees that have a diameter of 19 inches or more (Chapter 25-8 Subchapter B). The ordinance defines trees of a particular species greater than 24 inches in diameter as “heritage trees”, and those greater than 19 inches in diameter as “protected trees”. Under

the ordinance, removal of “protected trees” requires a permit from the Planning and Development Review Department; removal of a “heritage tree” greater than 24 inches in diameter requires a variance from the Planning and Development Review Department and removal of a heritage tree greater than 30 inches requires public review and a variance from the Land Use Commission.

The Waller Creek District has approximately 85 “protected trees” and 104 “heritage trees” within the creek corridor, all of which are subject to these Code provisions. The protection of these trees is important in maintaining the riparian and open space character of the Waller Creek corridor. Protected and heritage trees are indicated on the figures for each of the sub-districts of the planning area.

Affordable Housing: The issue of Downtown affordable housing has been discussed in the Downtown Austin Plan Affordable Housing Strategy and Density Bonus Program. With respect to the Waller Creek District this Master Plan recommends there should be no net loss of affordable housing within the Waller Creek District.



The East Sixth Street Historic District intersects with Waller Creek.



Waller Creek near its mouth at Lady Bird Lake



Waller Creek between Fifth and Sixth streets has been channelized.

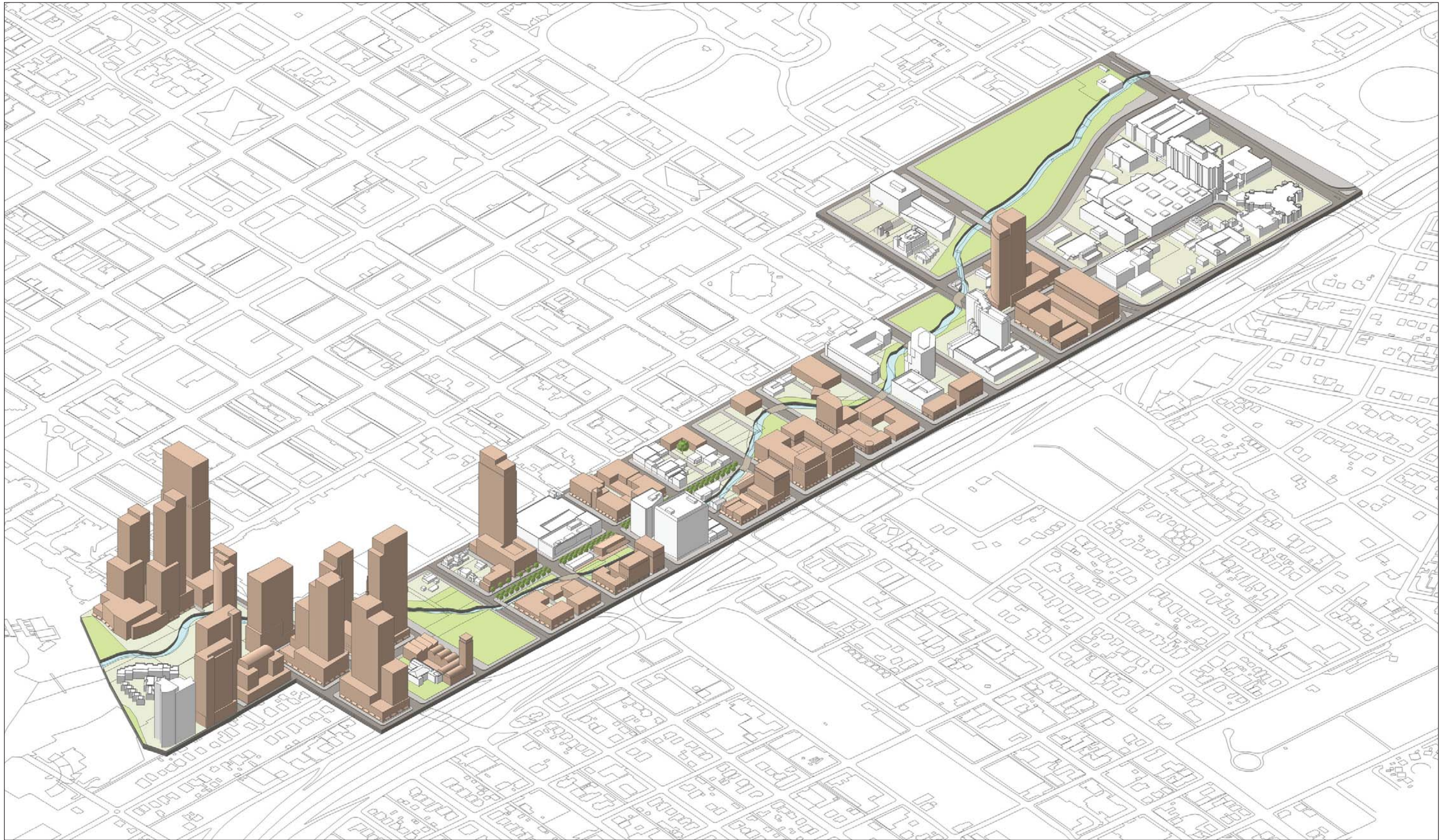


FIGURE 13: SKETCH MODEL OF THE WALLER CREEK DISTRICT, SHOWING POTENTIAL BUILD-OUT OF OPPORTUNITY SITES

Proposed District-Wide Development Standards

The following development standards apply to all properties within the district, except where specific exceptions are indicated in the Sub-District Development Standards below:

Public Easements: Along Waller Creek, private properties extend well into and across the creek corridor. Existing access and drainage easements have been established on many properties to provide public access and/or maintenance. With a few exceptions described below in the Sub-District standards, it is recommended that all of these easements be retained to achieve the vision of the Master Plan. These existing easements should be evaluated to determine whether they provide adequate rights to the City to provide the necessary levels of access required to implement the Master Plan and maintain the creek corridor, or whether these easements need to be re-negotiated to acquire such rights.

Public Alleys: The existing pattern of mid-block alleys shall be retained throughout the District to allow for off-street servicing, and in some cases to provide pedestrian access to the creek corridor (e.g., in the Third to Seventh Street Sub-District). All properties which abut an alley are required to take access from the alley for trash and loading services. Vacation of alleys should not be permitted. Where properties occupy more than one-half of a block, alleys may be abandoned subject to the approval of responsible directors and the Land Use Commission, provided that service access is maintained generally along the same alignment and that such abandonment does not impact access to any adjacent property.

Building Setbacks: Within the Waller Creek District, buildings should be built to the property line of the street, or within five feet of it, to promote an active and spatially-defined pedestrian realm, except where the City determines that a greater setback is required to implement the typical Great Streets standard width of an 18-foot sidewalk, or that described within the DAP Transportation Framework Plan. Along the IH 35 frontage road, new development should be set back by five feet to allow for an expanded sidewalk and planting zone. Setbacks from the creekfront are proposed below in the Sub-District standards.

Great Streets: All new development shall be required to construct Great Streets streetscape improvements consistent with the DAP Transportation Framework Plan and cross sections. Where the responsible director determines that Great Streets construction is not practical or feasible (e.g., on small parcels, or on streets that have pending reconstruction or transportation facility projects, etc.), an “in-lieu” fee for Great Streets improvements shall be applied. The proceeds of these in-lieu fees should be directed towards Great Streets improvements within the District. The City should develop a fee structure that is commensurate with the construction of such improvements and should secure such fees that could be invested into the highest priority Great Streets improvements.

Publicly-Accessible Open Space: Exceptions to the above setback regulations will be made for properties which provide publicly-accessible open spaces in the form of plazas, gardens, courtyards, patios, etc., and where such open spaces meet the following criteria:

- The open space setback has a minimum area of 600 square feet, and a minimum dimension of 15 feet;
- The area is accessible and useable by the general public throughout daylight hours and is visible from the public sidewalk;
- The area provides public seating and/or serves as a public pedestrian passageway connecting one public sidewalk with another;
- The area has no conditioned building space above it and at least 75 percent of the area is open to the sky; and
- The area has interior ground level building space overlooking and accessible to it, with public entry door(s).

Pedestrian-Oriented Streetfront Uses: Development within the Waller Creek District shall include ground-level uses that contribute to an engaging and safe pedestrian environment along streetfronts. Two types of frontages are proposed, Pedestrian Activity Streets and Mixed Use Streets. (See Figure 14: Ground Level Street and Creek Front Uses)

Pedestrian Activity Streets (i.e., East Sixth Street and Sabine Street between Third and Seventh streets), where the highest level of pedestrian activity is desired, and where at least 75 percent of the parcel frontage along these streets shall be occupied by one or more of the following uses, unless otherwise specified in the sub-district standards below:

- Art Gallery
- Art Workshop
- Cocktail Lounge (as a conditional use: CU)
- Consumer Convenience Service
- Food Sales
- General Retail Sales
- Hotel-Motel
- Liquor Sales, up to a maximum gross floor area of 5,000 square feet per site
- Personal Services
- Restaurant
- Theater
- Cultural Services
- Other uses as determined by the Land Use Commission

Mixed Use Streets are those streets where a mixture of pedestrian-friendly uses is desired and where one or more of the above “Pedestrian Activity Streets” uses and/or one or more of the following commercial, civic or residential uses shall occupy at least 60 percent of the developed parcel frontage, unless otherwise specified in the sub-district standards below:

- Residential
- Consumer Repair Services
- Financial Services
- Administrative Offices
- Indoor Entertainment
- Indoor Sports and Recreation



FIGURE 14: GROUND LEVEL STREET AND CREEK FRONT USES

Mixed Use Streets - Continued

- Liquor Sales
- Pet Services
- Club or Lodge
- College/University
- Day Care
- Education
- Religious Assembly
- Other uses as determined by the Land Use Commission

Pedestrian-Oriented Creekfront Uses: Along Pedestrian Activity Creekfronts, (See Figure 14) the highest concentration of active commercial and civic creekfront uses is desired. This area is generally between Third and Seventh streets, and at Symphony Square between Eleventh and Red River streets, where retail, restaurant and cultural uses are intended to reinforce Waller Creek as a city and even region-wide destination. Along these frontages, at least 75 percent of the developed parcel abutting the

creek shall be in active pedestrian-oriented uses as defined under Pedestrian Activity Streets above, unless otherwise specified in the sub-district standards below. On Mixed Use Creekfronts, (See Figure 14) at least 60 percent of the developed frontage facing the creek shall be comprised of pedestrian-oriented uses as defined under Mixed Use Streets above, unless otherwise specified in the sub-district standards below.

Cocktail Lounge as Conditional Use: In CBD zoning districts, the Master Plan proposes that Cocktail Lounge be made a conditional, rather than a permitted use, with the following criteria to be used in the determining appropriateness as use:

- The Cocktail Lounge use does not occupy more than 25 percent of its blockface or 70 linear feet, whichever is less;
- The use meets the ground floor streetfront requirements of the Master Plan;
- Business has had no criminal convictions in the last 36 months.

Off-Site Accessory Parking as Conditional Use: In CBD and DMU zoning districts, specific criteria should be established for off-street accessory parking, which is currently allowed only as a Conditional Use. Such criteria should include the following:

1. Accessory surface parking will be permitted, only if such parking:
 - a) is serving a specific use located on a parcel that is less than one-quarter block in size;
 - b) is not feasible to provide on-site parking;
 - c) and where such parking lot:
 - Has no more than 60 spaces;
 - Is not located on a Pedestrian Activity Street;
 - Does not occupy more than 70 linear feet of street frontage;
 - Includes improved sidewalks along all adjacent street frontages to the minimum standard;
 - Is screened at its perimeter with a low masonry wall or hedge of at least 36 inches in height but no more than 54 inches located at/near the back of sidewalk along street frontages;
 - Provides adequate lighting (1 footcandle) to ensure pedestrian safety; and
 - Is available for public parking when not occupied by the primary use.
2. Freestanding parking garages will be permitted if such garages comply with the ground-level streetfront and Great Streets requirements set forth in this Master Plan, and if at least 25 percent of the parking is available to the public at all times and is located on the levels most accessible to the street.

Drive-Through Facilities: Drive-through facilities will not be permitted in the Waller Creek District.

Ground Level Commercial Treatment along Streetfronts: All ground level commercial or civic uses facing public streets shall be subject to the following building design standards, which build on those set forth in Subchapter E: Design Standards and Mixed Use (Commercial Design Standards) of the Land Development Code:

- Along Pedestrian Activity Street frontages (See Figure 14) at least 60 percent of the wall area between two and 10 feet above grade, shall be in a glazed storefront system; along Mixed Use Street frontages, at least 40 percent of the wall area shall be developed with such storefront systems.
- All glazing on ground floor facades that face a public street or creek-front shall have a Visible Transmittance (VT) of 0.6 or higher.
- Shading devices including awnings, canopies, arcades, or other devices shall be required over all building entries and along at least 75 percent of a Pedestrian Activity street frontage, and 50 percent along a Mixed Use street frontage. (See Figure 14)
- Public building entries shall be oriented to streetfronts and shall be generally flush with the elevation of the sidewalk; no ramps or stairs are permitted to project within the public right-of-way, or front setback areas.
- The minimum floor-to-floor height of non-residential ground floor space along a Pedestrian Activity Street shall be 18 feet, and 15 feet along a Mixed Use streetfront, in order to promote viable ground level uses. The minimum depth of such uses shall be 30 feet along the required frontage.

Ground Level Commercial Treatment along Creekfronts: Creekfront non-residential uses shall comply with the following general standards and with the specific standards outlined for each of the Sub-Districts below:

- Outdoor spaces, such as terraces, cafés, plazas, pedestrian ways and/or trails are permitted and encouraged on the frontage of buildings adja-

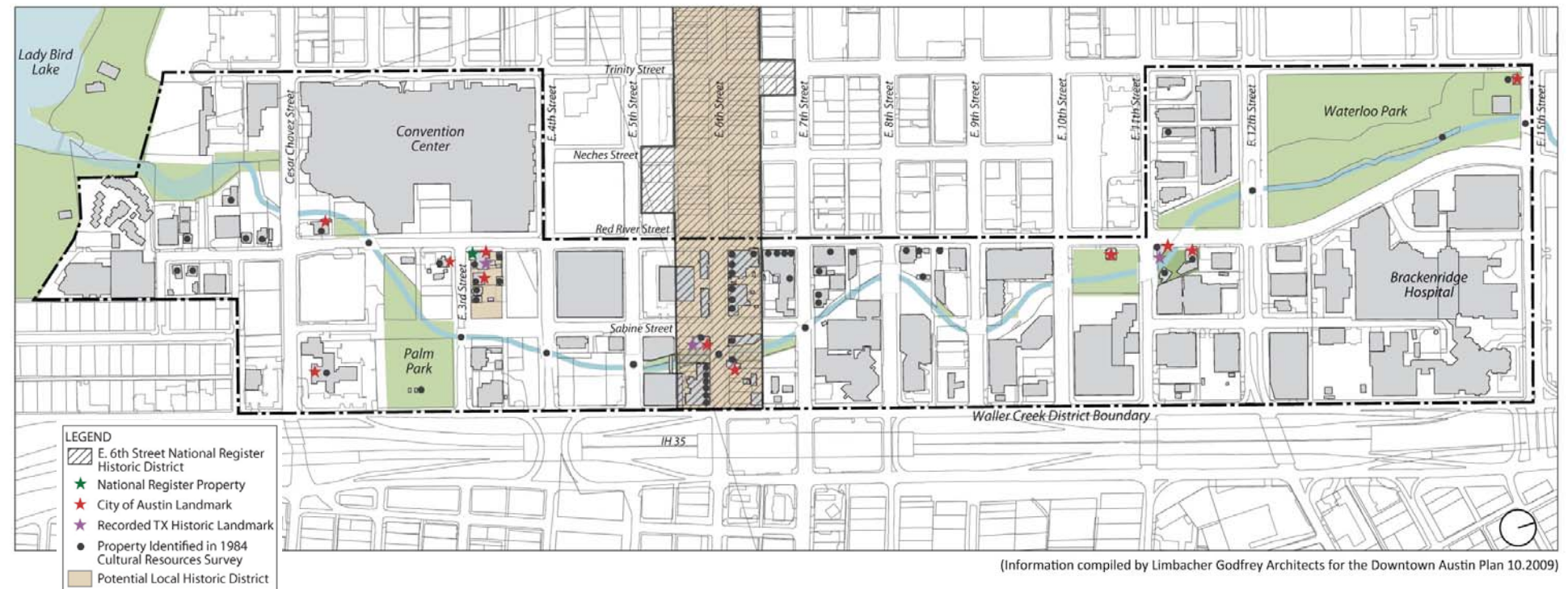


FIGURE 15: WALLER CREEK DISTRICT HISTORIC RESOURCES

cent to creeks to create an active edge along the creekfront (see specific Sub-District standards below). Outdoor spaces and access-ways shall be located within the boundaries of the property, and, where permitted to encroach onto public easements (subject to license agreement requirements), as provided for below.

- Storefront glazing is required on at least 50 percent of the wall area of the ground level facing a creekfront between two and 10 feet above grade. All glazing shall have a Visible Transmittance (VT) of 0.6 or higher.
- Shading devices including awnings, canopies, trellises, pergolas, loggias and the like shall be provided along 75 percent of any publicly-accessible space on the creek frontage, and over all building entries.
- Accessible building entries shall be oriented to publicly-accessible outdoor spaces at intervals no greater than 100 feet.
- The minimum floor-to-floor height of non-residential ground floor space adjacent to creeks shall be no less than 15 feet, except for creek-oriented basement space below street level, which shall be no less than 10 feet.

Ground Level Residential Treatment: Where ground level residential uses are permitted as a pedestrian-oriented use on a street or creekfront, all living spaces (not including ground level common areas or lobbies) shall be separated from public sidewalks or trails by a setback of at least five feet or the required zoning setback, whichever is greater. Ground level living space shall also be at least 18 inches above the grade of the sidewalk or trail to promote residential privacy and livability. Unit entries with stoops are encouraged along streetfronts and portions of the creek trail, as appropriate.

Building Massing: The following building form standards are intended to promote buildings that complement the creek corridor, provide strong spatial definition along streets, and appropriate relationships between existing and future development. If a project proponent wishes to deviate from these building form standards, an “alternative compliance” procedure, to be developed during the ordinance preparation process will be made available by the City. This process should involve discretionary design review of the proposal, and a finding that the alternative treatment meets the City’s urban design guidelines and will contribute positively to the Downtown environment.

Streetfront Steppbacks: Except as provided in the sub-district standards below, at least 55 percent of the building mass above 90 feet in height shall be stepped back by a minimum of eight feet in order to provide a horizontal street wall expression. (The 90-foot streetwall is established to allow for an efficient parking podium, and to create a well-proportioned street space at a ratio of approximately 1:1 with the right-of-way.) Buildings within historic districts or landmarks adjacent to historic structures (See Figure 15: Waller Creek District Historic Resources) shall introduce the eight-foot stepback at a height no greater than ten feet above or below the historic building for a horizontal distance of at least 25 feet (See Figure 16: Building Form

Standards) unless the Historic Preservation Officer makes a finding that the historic property in question no longer warrants special compatibility consideration, due to the current state of the property. (See Figure 16)

Tower Lengths: No tower should occupy more than 220 feet or 80 percent of a block length or frontage along a street or within the creek corridor, in order to promote light and solar access, as well a sense of visual openness in the cityscape.

Tower Floorplate: The maximum floorplate of a tower above a height of 120 feet shall not exceed 60 percent of the site area or 30,000 square feet,

whichever is less. This standard is intended to avoid bulky buildings and to promote a visually attractive skyline with slender vertical towers.

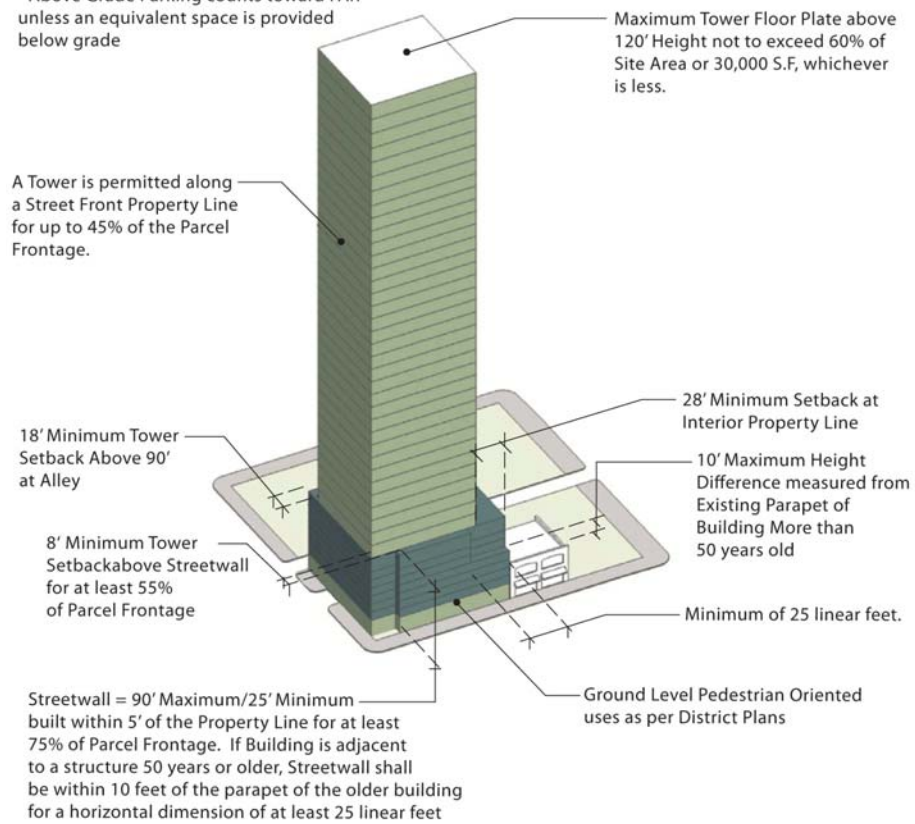
Non-Reflective Materials: Buildings shall not include glazing and other cladding materials that are highly reflective, consistent with the requirements of the Waterfront Overlay District.

Creekfront Steppbacks: Consistent with the requirements of the Downtown Creek Overlay District, all development within 60 feet of the centerline of Waller Creek shall not have a height greater than 60 feet.

High-Rise Building Quarter-Block and Greater

PARKING AND SERVICING

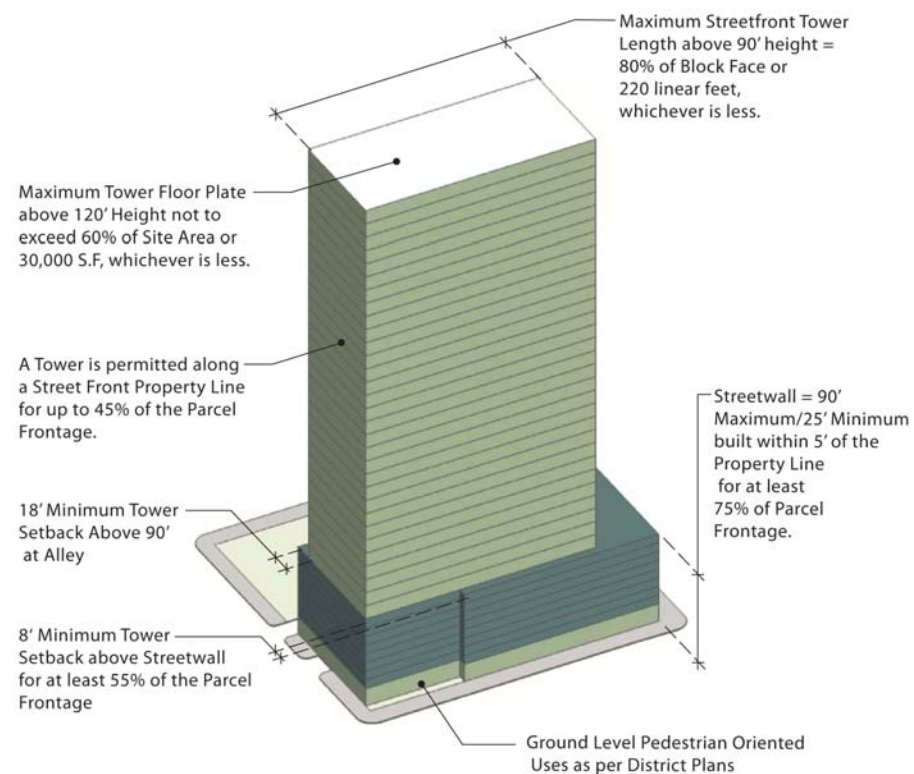
- Parking and Service Access From Alley
- Driveway Curb Cuts along "Pedestrian Activity Streets" not permitted, unless approved by the Responsible Director
- One Driveway Curb-Cut Permitted from Street up to 25 feet wide
- Above Grade Parking May Not be Visible from the Street
- Above Grade Parking counts toward FAR unless an equivalent space is provided below grade



High-Rise Building Half-Block and Greater

PARKING AND SERVICING

- Parking and Service Access From Alley
- Driveways along "Pedestrian Activity Streets" not permitted, unless approved by the Responsible Director
- Two Driveway Curb-Cuts Permitted from Street up to 25' wide each
- Above Grade Parking May Not be Visible from the Street
- Above Grade Parking will be counted toward FAR unless an equivalent space is provided below grade



Mid-Rise Building Half-Block and Greater

PARKING AND SERVICING

- Parking and Service Access From Alley
- Driveways along a "Pedestrian Activity Street" are not permitted, unless approved by the Responsible Director
- Two Driveway Curb-Cuts Permitted from street, up to 25' wide each
- Above Grade Parking May Not be Visible from the Street
- Above Grade Parking will be counted toward FAR unless an equivalent space is provided below grade

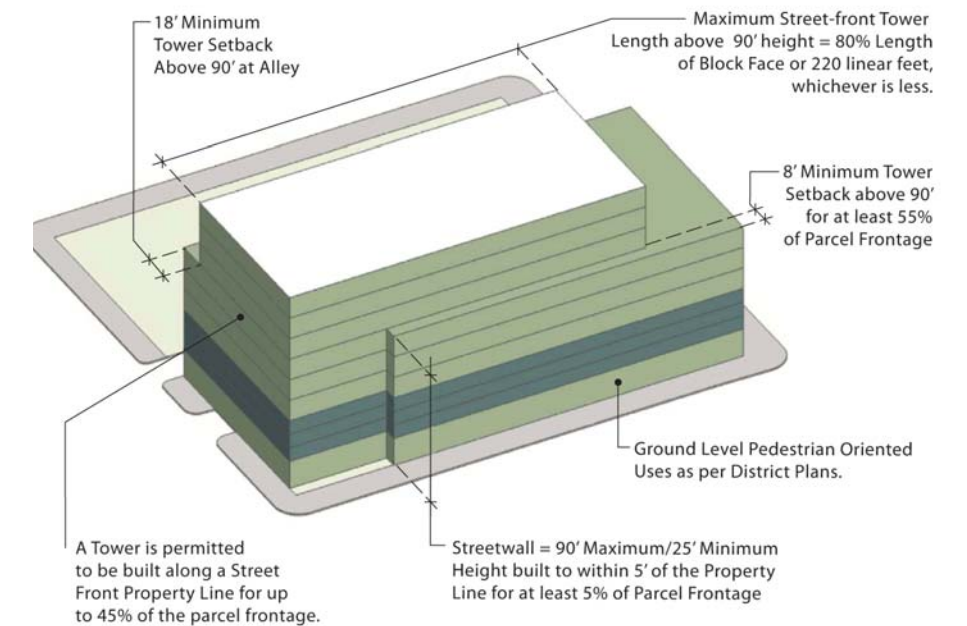


FIGURE 16: BUILDING FORM STANDARDS

Tower Spacing: In order to promote multiple towers, (defined as any portion of a building above 90 feet in height) on a block, such towers shall be set back from any other tower by at least 56 feet. Towers shall be set back from an alley by a minimum of 18 feet and by a minimum of 28 feet from any interior property line. Alley and interior lot setbacks may be waived by the responsible directors if an adjoining property has height limits or easements that would prevent future development to exceed 90 feet. (See Figure 16)

Curb Cuts and Driveways: No curb-cuts or driveways will be permitted along Pedestrian Activity Streets. (See Figure 14) Along Mixed-Use streets only one curb cut will be permitted for each 140 feet of parcel frontage, unless the Sub-District standards state otherwise. Waivers from this requirement may be made by a responsible director, if it is found that there are no practical means of compliance.

Porte-Cocheres and On-Site Drop-Off Areas: Porte-cocheres and on-site drop-off areas are permitted on a case-by-case basis, subject to the following findings:

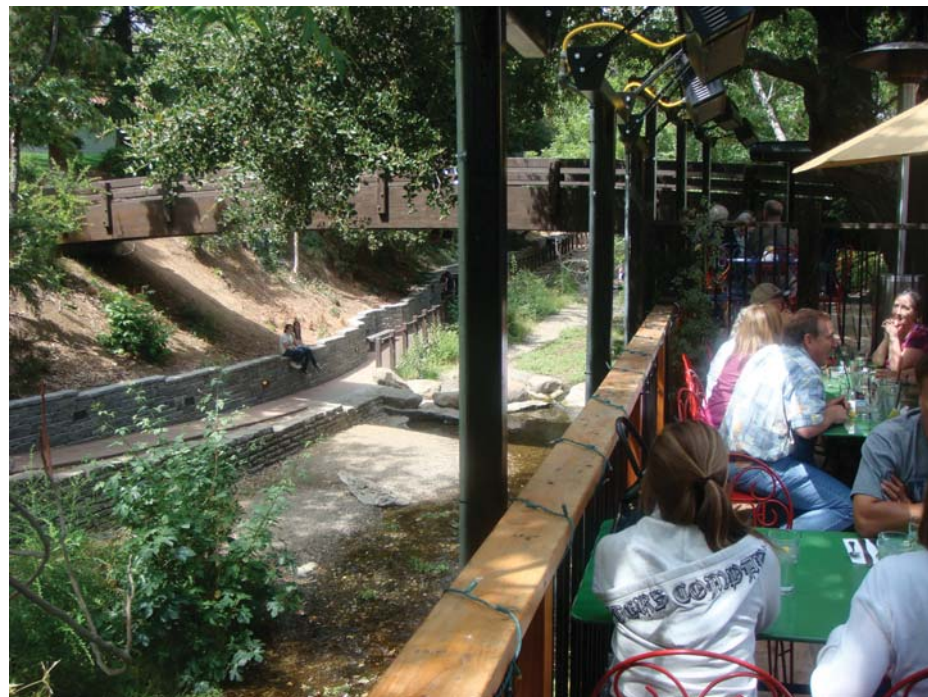
- Because of the volume of drop-offs, the operation of the particular use requires a porte-cochere or drop-off area on site. (Note: Special priority is given to hotel uses; office and residential uses should use designated curbside drop-off lanes within the public right-of-way.)
- The driveways that cross the sidewalk are limited to no more than 25 feet in width, and are at the same height of the sidewalk surface, clearly demarcated with a contrasting paving and texture.

Treatment of Service Areas: Loading and service areas shall be located along public alleys to the maximum extent practicable; where such areas are located along public streets, their frontages shall be minimized to avoid disruption of pedestrian or bicycle circulation and architecturally integrated within the building mass and screened from public view. All truck

maneuvering shall occur within the interior of the structure or loading area. Service areas shall not be visible from the creek (per the Downtown Creeks Overlay), or rely on service roads that are visible from the creek.

Parking Treatment: Surface parking lots shall be subject to the standards described above for accessory parking. Parking garages should be underground and/or encapsulated (not exposed to public view) and architecturally-integrated within the overall building mass, and screened from public view. Freestanding parking garages shall include ground level “liner uses” along streetfronts and the creek in compliance with the ground level requirements above.

On-Site Parking: In order to encourage smaller parcels to redevelop more economically, on-site parking requirements should be waived or reduced, subject to approval by the responsible directors, if such developments are less than 20,000 square feet or one-quarter block, and if the development pays a to-be-established, in-lieu fee to the City of Austin’s Parking Enterprise for the use of centralized parking.



Cafes and restaurants overlooking the creek corridor are encouraged.



Small-scale, mixed-use development is envisioned on parcels constrained by Capitol View Corridors.



High-rise development must create a positive street-level environment.

LEGEND

- - - Existing Property Line
- Existing Easement
- Proposed Additional Easement
- Parkland
- Publicly-Owned Land
- Privately-Owned Land
- Existing Buildings
- Proposed Trail
- - - Secondary Trail to be Negotiated with Developer
- Approximate Critical Root Zone of Protected Tree within Creek Corridor

Notes:

1. Only surveyed trees $\geq 19"$ dia. along the creek corridor and in the sub-district are shown.
2. Espey Survey used when tree canopy overlap occurred.

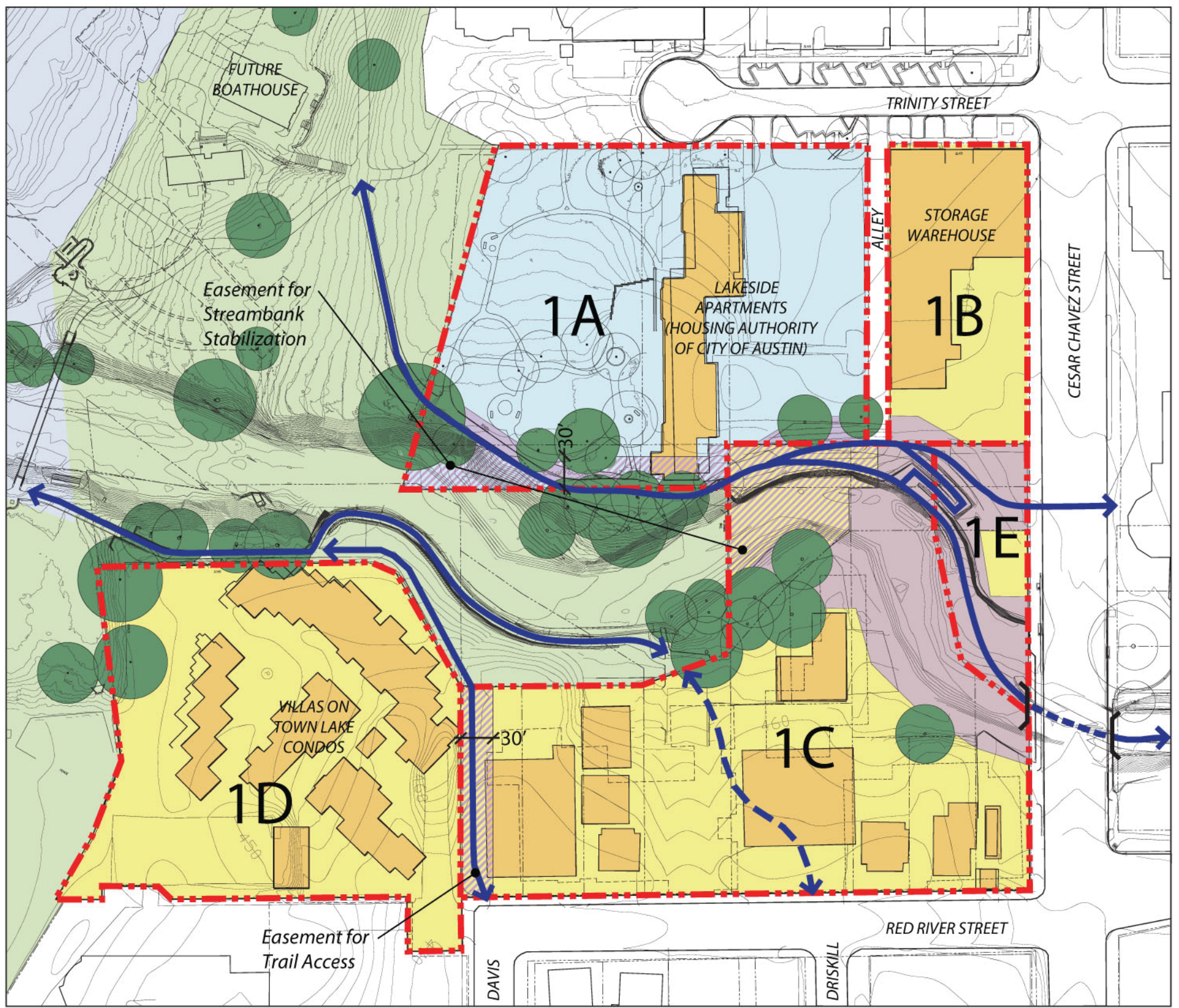
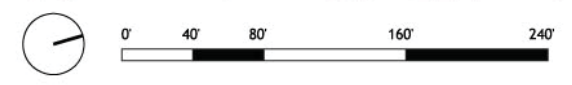


FIGURE 17: CREEK MOUTH / LAKEFRONT SUB-DISTRICT



Proposed Sub-District Standards

New development within the Waller Creek District shall adhere to the District-wide standards described above and the following specific standards described for each of the sub-districts. These standards respond to site-specific conditions and include provisions for easements and dedications, building setbacks, ground level uses and treatments, and other provisions aimed at achieving the goals of the Master Plan. In the case of a conflict between a district-wide standard and a sub-district standard, the sub-district standard will control.

Creek Mouth / Lakefront Sub-District

This sub-district includes those properties south of Cesar Chavez Street, which front onto Waller Creek and/or Lady Bird Lake. (Figure 17: Creek Mouth / Lakefront Sub-District) There are three principal opportunity sites, which today are developed well below their full CBD development entitlements, and which could potentially redevelop over the next decade. These include:

- (1A) The 2.27-acre Lakeside Apartments property owned by the Housing Authority of the City of Austin (HACA) and occupied by the existing 12-story, 164-unit affordable housing building.
- (1B) The 0.94-acre property held by the Trinity Street Joint Venture, along Cesar Chavez Street just east of Trinity Street, and containing a single-story warehouse structure; and
- (1C) The assembled 2.8-acre site between the Villas on Town Lake condominiums and Cesar Chavez Street (also known as the “21C” site).

The Villas on Town Lake (1D) is a garden-style, multi-family condominium complex with 56 units oriented to both Waller Creek and Lady Bird Lake. This large site has CBD zoning and could support greater development. However, such redevelopment would require agreement of 4/5 majority vote of the condominium owners. Site 1E located along Cesar Chavez Street is approximately 0.4 acres and is significantly constrained by existing drainage and public access easements which limit its developable site area to approximately 2,400 square feet.

Located near the mouth of Waller Creek, the sub-district is characterized by a wider creek corridor with steep banks and significant tree cover and understory vegetation that give it a naturalistic, riparian identity - in contrast with the more constrained urban reaches of the creek to the north. Streambank stabilization and restoration, tree preservation and revegetation, as well as trail improvements are planned on both banks that will allow the Lady Bird Lake trail to fully connect to the planned Waller Creek trail system. A new trail along the western bank will provide an accessible link between the Lady Bird Lake trail and the northern reaches of the corridor beneath the Cesar Chavez Bridge. The existing trail carved into the eastern creek bank and defined by large limestone blocks is planned to be extended on two levels: the upper level connecting with the Rainey Street District and the Red River Street corridor via Davis Street; and the lower trail passing through the proposed development on the assembled 2.8-acre site (1C) and connecting to Driskill Street.

Properties within this sub-district have CBD zoning, which allows unlimited heights and potential densities up to a 12:1 FAR. While high-density, high-rise development is encouraged within the area, new development should: preserve the landscape qualities of the creek corridor, complement and extend the planned trail improvements and introduce new activities that promote a safe and active environment. More specifically:

Easements: Within this sub-district, properties extend well into and across the creek corridor. Existing access and drainage easements provide some levels of public access and watershed maintenance. In order to fulfill the vision of the Master Plan, it is recommended that these existing easements be retained and expanded to multi-use easements that maintain the development potential of the property, while facilitating the public use and maintenance of the restored riparian landscape. As shown in Figure 17, three additional easements are recommended within this sub-district:

- On the HACA-owned site (1A), all properties east of the existing trail easement and those within 30 feet of its eastern property line should be established as a multi-use easement;
- On the assembled 2.8-acre site (1C), all portions of the property westerly of the existing easement should be established as a multi-use easement to be improved as part of the proposed Waller Creek public trail system improvement project.

- In addition, a 30-foot wide multi-use easement should be established along the southern property line of the assembled 3.2-acre site (1C) to provide for the extension of the eastern branch of the Waller Creek trail to connect with Davis Street at the south end of Red River Street.

On Site 1E, development should be confined to the 2,400 square foot portion of the site that does not have easements. It is recommended that this property either be developed with a small food or park-related concession/pavilion, or be acquired by the City as an extension of the surrounding public access and drainage easements. Parking should be provided off-site in adjacent public or private garages or lots.

Use of easement areas for non-habitable outdoor space including terraces, cafes, pedestrian walkways, etc., will be permitted if the responsible director finds that such encroachments complement the public improvement project.

Pedestrian-Oriented Streetfront Uses: New development along street frontages shall adhere to the streetfront requirements for pedestrian-oriented uses, described in the district-wide standards above. (See Figure 14) The only exception to these uses is that ground level residential living space will not be permitted along Cesar Chavez Street. (Lobbies and common areas are excepted from this provision.)

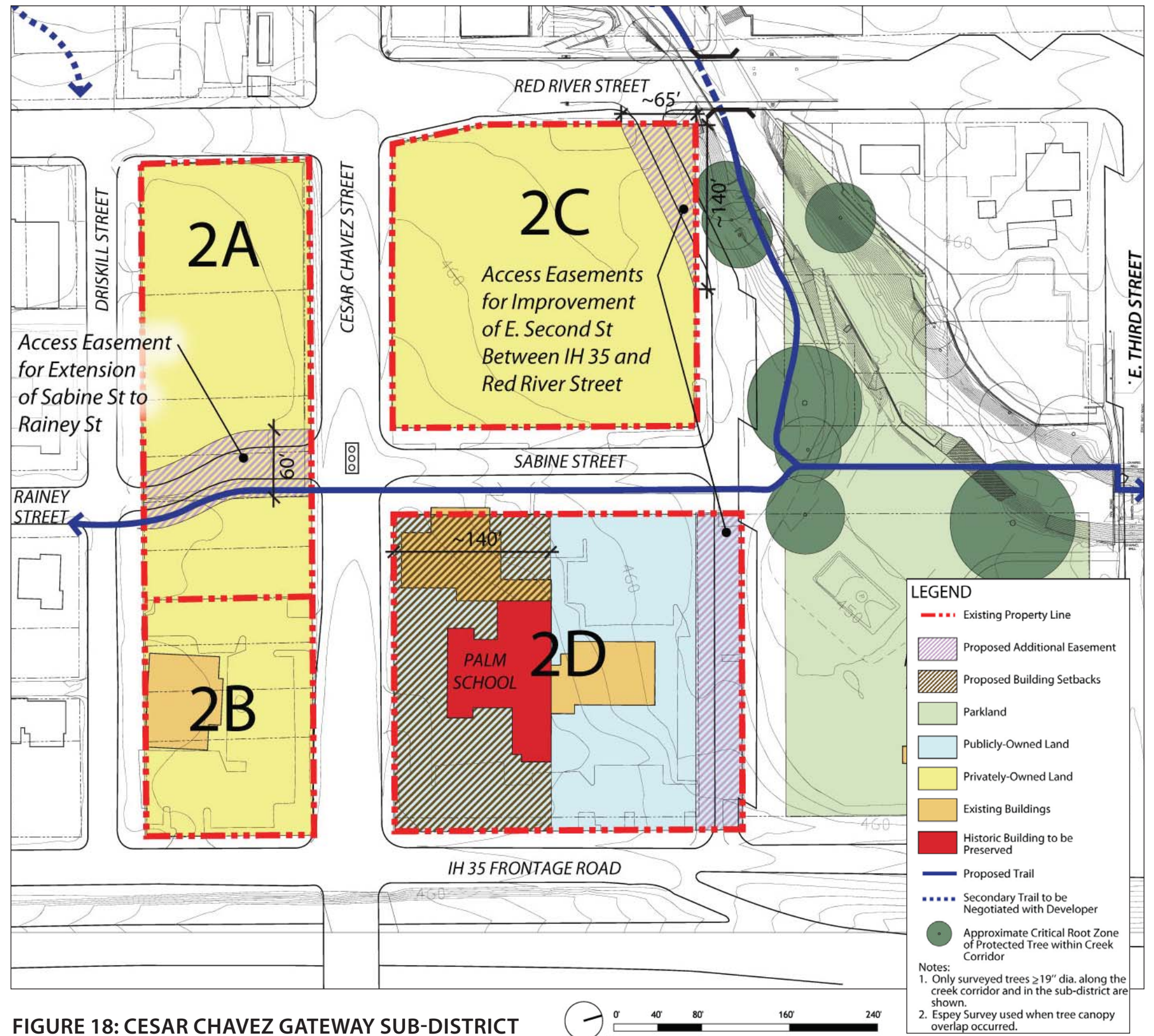
Building Massing and Stepbacks: Properties west of Waller Creek (1A and 1B) are within the existing Waterfront Overlay District’s North Shore Central Subdistrict, which requires that “a structure fit within a 70-degree angle starting at a line 45 feet above the property boundary nearest Lady Bird Lake or Waller Creek”. Because of the considerable width of the creek corridor, in excess of 200 feet at this location, and in order to optimize the development potential of these strategic sites, the Master Plan proposes to eliminate this requirement as it applies to the property boundary along Waller Creek. However, no changes to the existing Waterfront Overlay District (WOD) provisions are proposed along the Lady Bird Lake frontage.

Specific Sub-District Density Bonus Provisions: The following density bonus provisions apply to the Creek Mouth/Lakefront sub-district, in addition to the overall Downtown density bonus provisions and any bonus provisions developed pursuant to the Waterfront Overlay District:

- On the HACA-owned Lakeside Apartments site (1A), the floor area of on-site low-income housing units at or below 50 percent of Median Family Income (MFI) will not be counted toward the project's Floor Area Ratio (FAR).
- On the assembled 3.2-acre parcel (1C), 10 square feet of additional floor area, above that permitted by the baseline zoning, will be allowed for each square foot of a publicly-accessible pedestrian way and associated, landscaped open space that is provided between the creekfront trail and the intersection of Driskill and Red River streets, provided that the pedestrian path:
 - a. is open to the public during daylight hours;
 - b. is no less than 10 feet in width and includes a clear space (from building wall to building wall) no less than 20 feet in width or 6,000 square feet in total area; and
 - c. includes pedestrian-oriented uses on at least 25 percent of the frontage along its length.

(Note that this would allow twice the floor area of the proposed Downtown Density Bonus Program, but corresponds with the potential loss of floor area on the 10:1 FAR site.)

Curb Cuts and Site Access: Within this sub-district, no curb cuts or driveways are permitted along the Cesar Chavez Street frontage, except for one curb cut in the vicinity of Site 1E to provide for maintenance access to the trail and/or to any development that is provided on Site 1E. Parking and service access shall be provided from Red River and Trinity streets and/or the public alley between the Lakeside Apartments (1A) and the Trinity Street Joint Ventures property (1B). Curb cuts should be consolidated and minimized to avoid disruption to pedestrian and bicycle circulation.



Cesar Chavez Gateway Sub-District

This sub-district includes four underutilized or vacant properties along Cesar Chavez Street between Red River Street and the IH 35 frontage road. (See Figure 18: Cesar Chavez Gateway Sub-District) The area forms an important gateway into the Downtown from East Austin and a key opportunity to connect Downtown and the Waller Creek Corridor with the Rainey Street District and with East Austin. The properties include:

- (2A) A 1.3-acre assembled site bounded by the existing International House of Pancakes property (2B), Cesar Chavez Street and Red River and Driskill streets;
- (2B) The 0.7-acre IHOP site at the corner of Cesar Chavez Street and the IH 35 frontage road;
- (2C) A 1.7-acre assembled site owned by Waller Creek Eleven, Ltd. and bounded by Cesar Chavez Street, Palm Park and the Second Street right-of-way and Sabine and Red River streets; and
- (2D) The 2.1-acre Palm School site owned by Travis County and bounded by Cesar Chavez Street, Palm Park and a portion of the Second Street right-of-way, Sabine Street and the IH 35 frontage road. The site includes the Palm School, which is a designated City of Austin historic landmark.

Properties within this sub-district have CBD zoning with no Capitol View Corridors. Maximum density ranges from 8:1 FAR on properties north of Cesar Chavez Street and up to 12:1 FAR for those south of Cesar Chavez Street in the Rainey Street Subdistrict of the WOD. High-density, high-rise development is encouraged within this area, subject to the standards described above and the following:

Public Street Right-of-Way Dedications: Three public right-of-way dedications are required within this sub-district to achieve the pedestrian, bicycle and vehicular connectivity envisioned in the Master Plan. (See Figure 18)

These include:

- A 60-foot wide street right-of-way to provide a direct connection between Rainey and Sabine streets across Cesar Chavez Street, and to link the redeveloping Rainey Street District with the Waller Creek corridor and Downtown. This dedication of approximately 9,300 square feet would bisect a portion of the assembled 1.3-acre property (2A) leaving a remnant parcel of approximately 12,000 square feet on the eastern half. In order to achieve maximum development potential, this remnant parcel would ideally be assembled with the IHOP property (2B) to the east.
- A triangular public access easement of approximately 4,500 square feet on the northwest corner of the 1.7-acre Waller Creek Eleven property (2C) in order to provide for the construction of Second Street along the southern edge of Palm Park, as envisioned in the Master Plan; and
- A re-instatement of the portion of the Second Street right-of-way on the County's Palm School site (2D), totaling approximately 11,500 square feet, in order to construct Second Street along the southern edge of Palm Park.

Building Setbacks: In addition to the setback requirements described above under the District-Wide Standards, the following would apply:

- New development on the County-owned Palm School site (2D) shall be set back from the Cesar Chavez Street frontage to a limit aligned with the northern edge of the pre-1960s addition (approximately 140 feet) in order to preserve views to, and the dominance of, the historic structure.

Pedestrian-Oriented Streetfront Uses: New development along street frontages shall comply with the ground level pedestrian-oriented uses described above (Figure 14), with the following exception:

- Ground level residential living space is not permitted along Cesar Chavez Boulevard or the IH-35 frontage road. (Lobbies and common areas are excepted from this provision.)

Specific Sub-District Density Bonus Provisions: The following density bonus provisions are recommended to supplement the Downtown Density Bonus provisions. They apply only to properties adjacent to Palm Park within the Cesar Chavez Gateway sub-district and are intended to reinforce the park as an active and engaging community-oriented space. One or both of the following density bonus provisions may be applied:

- Publicly-accessible open space in the form of courtyards and plazas that have direct access to Palm Park will be awarded 12 square feet of bonused floor area for each square foot of such open space provided, provided that the open space meets the following criteria:
 - a. Has a minimum area of 2,400 square feet and no dimension less than 40 feet;
 - b. Includes shaded areas over at least 25 percent of the open space, with the use of trees, pergolas, canopies etc.
 - c. Includes 30 percent of the area in "softscape" (turf, planting beds or ground cover);
 - d. Includes pedestrian-oriented uses along at least 50 percent of its frontage; and
 - e. Includes at least one public entrance directly from the open space.
- For each square foot of interior space dedicated to a cultural and/or community-oriented use that is accessible from Palm Park, four square feet of additional floor area above that permitted by the base zoning will be awarded. Such cultural/community space must meet the criteria established by the Downtown Density Bonus Program. (Note: This provision is twice that of the proposed Downtown Density Bonus Program).

Curb Cuts and Site Access: Within this sub-district, no curb cuts or driveways are permitted along the Cesar Chavez Street frontage. One curb cut will be permitted at mid-block along the IH 35, Second Street, Red River and Sabine Street frontages (2C and 2D). On properties south of Cesar Chavez Street (2A and 2B), parking and service access shall be provided from Driskill Street.

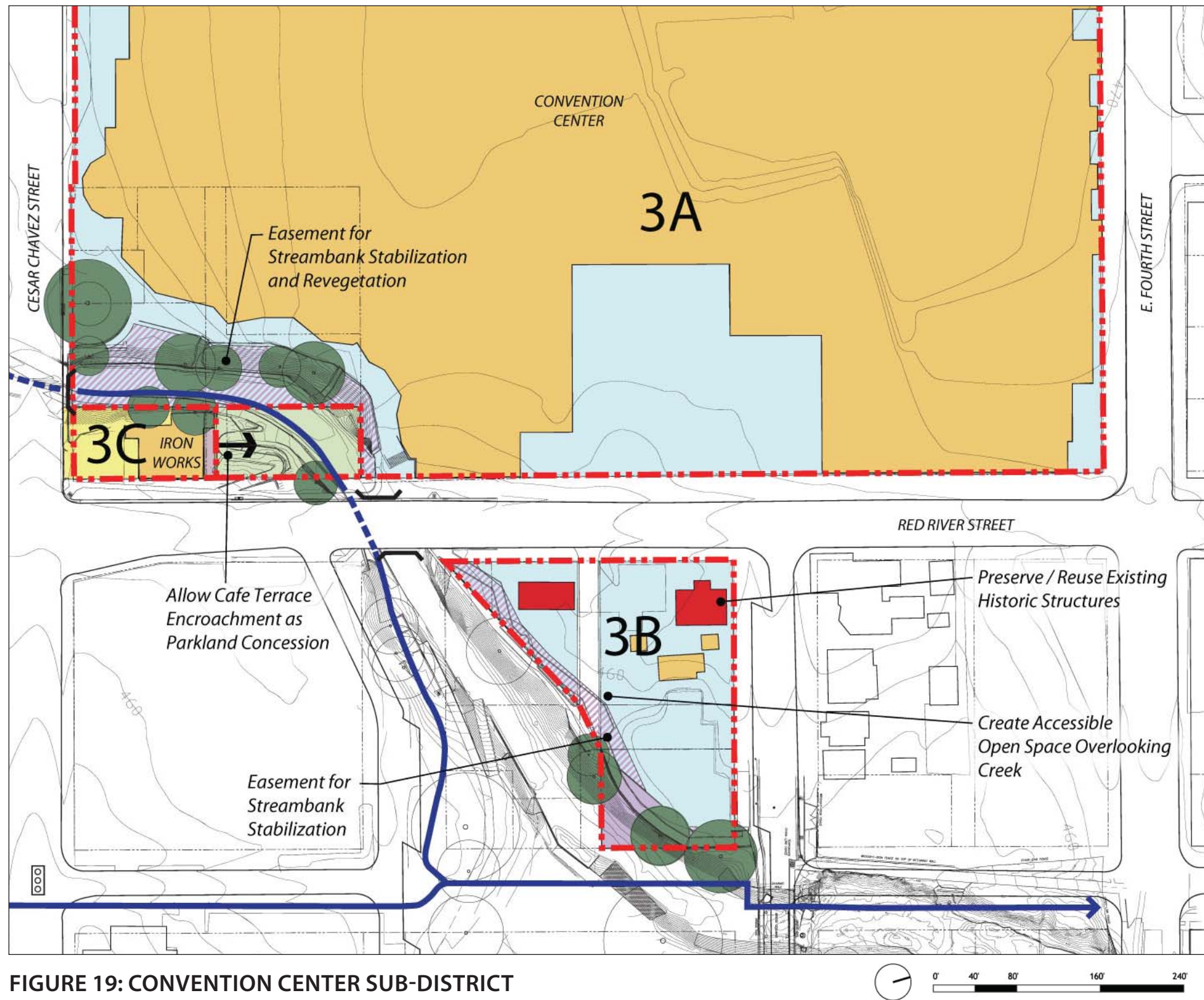


FIGURE 19: CONVENTION CENTER SUB-DISTRICT

Convention Center Sub-District

This sub-district (See Figure 19: Convention Center Sub-District) includes properties controlled by the City of Austin Convention Center Department, including the existing Convention Center (3A) and land along Waller Creek east of Red River Street (3B). In addition, the sub-district includes the Iron Works BBQ restaurant (3C), located at the northwest corner of Cesar Chavez and Red River Streets. While major redevelopment and intensification is not envisioned within this sub-district, creek-side development on and adjacent to the Iron Works property and the Convention Center property east of Red River Street could enhance the creek corridor.

Public Easements: Within this sub-district, two multi-use public easements are proposed on the properties controlled by the Austin Convention Center Department in order to achieve bank stabilization, creekside improvements and re-vegetation, these include:

- An easement on the Convention Center site (3A) east from the edge of its existing terrace above the creek channel to the Iron Works restaurant property (3C); and

LEGEND

- Existing Property Line
- Existing Easement
- Proposed Additional Easement
- Parkland
- Publicly-Owned Land
- Privately-Owned Land
- Existing Buildings
- Historic Building to be Preserved
- Proposed Trail
- Approximate Critical Root Zone of Protected Tree within Creek Corridor

Notes:

1. Only surveyed trees $\geq 19"$ dia. along the creek corridor and in the sub-district are shown.
2. Espey Survey used when tree canopy overlap occurred.

- An easement along the creekfront on the east edge of the Convention Center property, east of Red River Street (3B) to the future/final top of bank.

Parkland Concession: An outdoor restaurant terrace with café seating up to a maximum of 3,000 square feet may be permitted north of the Iron Works restaurant property (3C), located on existing City-owned parkland along Red River Street, if such terrace meets the following criteria:

- The Parks and Recreation Department (PARD) enters into an agreement with the business owner/concessionaire;
- All protected trees are maintained as part of the improvement;
- New landscaping and vegetation is introduced in conjunction with the terrace improvements to be approved by PARD; and



The path beneath the Red River Street bridge near Palm Park has eroded into the creek.

- The terrace includes an accessible path of travel from the Red River Street sidewalk to a creekside overlook or to the final creekside pathway, and which would be open to the public during daytime and evening business hours.

Pedestrian-Oriented Street and Creekfront Uses: New development shall meet the Streetfront and Creekfront requirements set forth above (See Figure 14) with the following exceptions and clarifications:

- Ground level residential living space is not permitted within this sub-district. (Lobbies and common areas are excepted from this provision.)
- Pedestrian-oriented ground level uses on the Iron Works property (3C) and the Convention Center property immediately overlooking Waller Creek (3B) shall be limited to restaurant uses, or other pedestrian-oriented uses that are determined by the responsible director to enhance the public orientation of the creek.



The Iron Works Restaurant overlooking Waller Creek and the Austin Convention Center.

Historic Preservation: The historic Castleman-Bull House relocated to the Convention Center property east of Red River Street (3B), should be preserved and adaptively-reused for a restaurant or other active, public-oriented use. Ideally, the use of the Trask House, also relocated and already restored, could also become a more public-oriented use. Between the houses, and overlooking the creek and Palm Park, publicly-accessible open space in the form of gardens, café terraces, courtyards and/or plazas should be created to enliven the creek-front environment and to promote public access and overlook to the creek. Reconfiguration and/or relocation of the existing water quality pond into a facility that is an amenity and is integral with the open space should also be considered.

Curb Cuts and Site Access: Within this sub-district, no new curb cuts or driveways are permitted along the Cesar Chavez Street frontage. Service access to all properties shall be provided from Red River or Third streets in a manner that minimizes disruption to pedestrian and bicycle circulation.



Moonshine Restaurant is part of the Waterloo Compound, a grouping of buildings dating back to Civil War times.

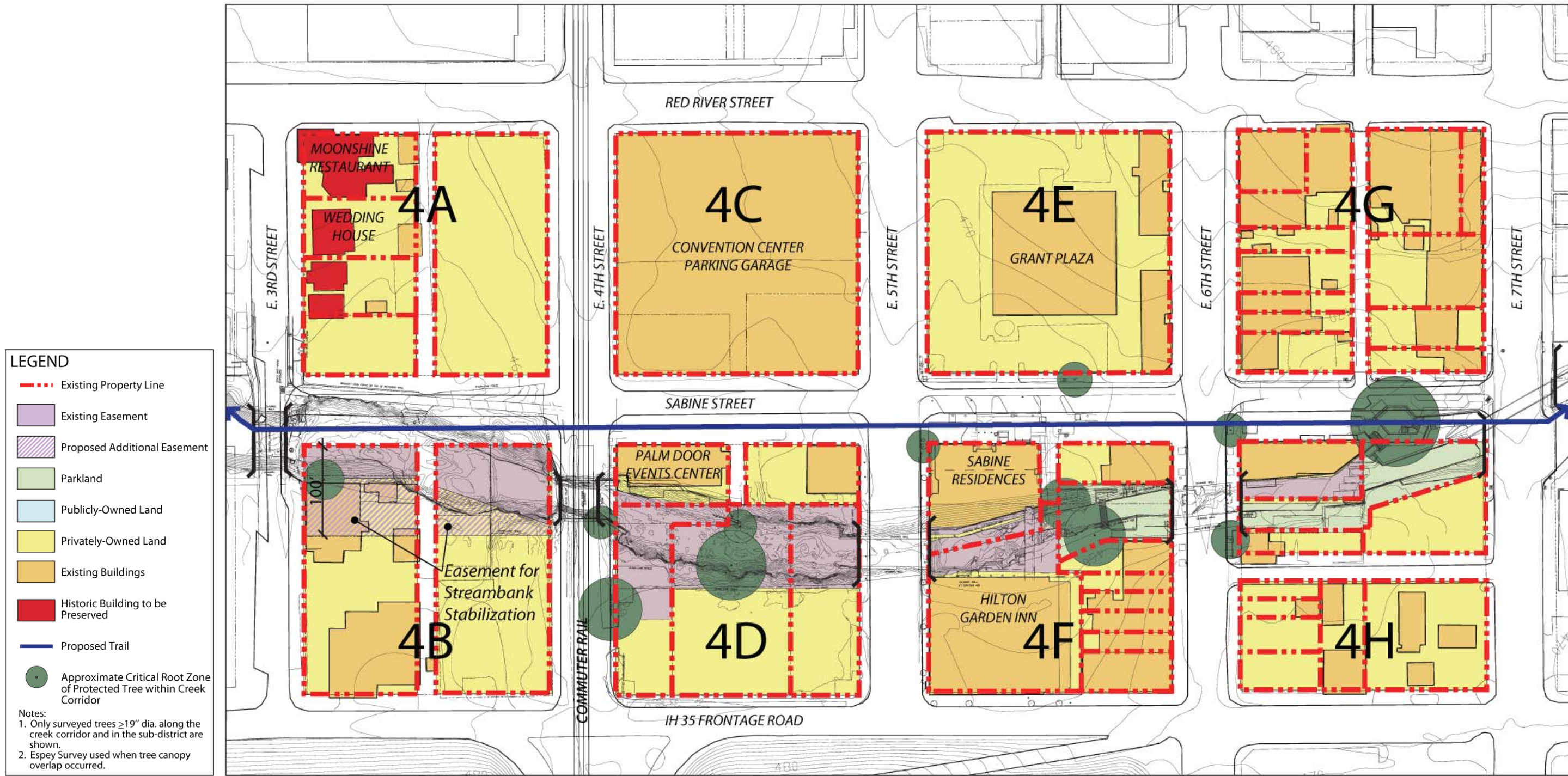


FIGURE 20: THIRD TO SEVENTH STREET SUB-DISTRICT



Third To Seventh Street Sub-District

This eight-block sub-district is bounded by Red River Street on the west and the IH 35 frontage road on the east, with Sabine Street bisecting the area in a north-south direction. (See Figure 20: Third to Seventh Street Sub-District) Within this area, Waller Creek winds through the private properties east of Sabine Street, resulting in shallow sites of 40 to 70 feet depth along the western edge of the creek. The creek channel in this sub-district is highly constrained: between Third and Fifth streets, it is characterized by eroding banks that impede public access, and between Fifth and Seventh streets the creek is largely channelized between existing buildings less than 60 feet apart. For this reason, the Master Plan calls for the principal public pedestrian and bicycle access to be along an improved Sabine Street Promenade linking Palm Park on the south, with Seventh Street and the creek to the north. Properties along the creek will be encouraged to develop restaurants, cafes and terraces that overlook the creek and provide public access to it. Existing alleys between Sabine Street and the creek should be improved to provide pedestrian access and overlooks. New pedestrian bridges that traverse the creek at mid-block are envisioned by the Master Plan, as properties along the east bank redevelop, to connect the creek corridor with Sabine Street and provide overlooks to the creek and its historic bridges.

The sub-district is also characterized by fine-grained property ownership with fewer assembled sites than those to the south and north. The lack of assemblage may be partially due to the Capitol View Corridors restricting these properties, limiting buildings to heights of less than 75 feet in much of the area. Because of these factors, the sub-district is expected to maintain its “village” character with older, one and two-story structures concentrated along Sabine, Sixth and Seventh streets. Taller high-rise development (i.e., beyond ten floors) can only occur between Third and Fourth streets and west of Sabine Street due to the limitations of the Capitol View Corridors. This block, (4A on Figure 20) adjacent to the Convention Center and its garage, is particularly suitable for a major hotel development.

Development standards, specific to this sub-district focus on the creation of a lively pedestrian-oriented environment along Sabine Street with cafes and restaurants oriented to both the street and the creek.

Public Easements: Much of the creek corridor is under existing easements and those planned as part of the Tunnel Project. (See Figure 20) The Master Plan calls for these to be retained as multi-use easements, allowing for drainage, construction, maintenance and public access. The City should determine whether the existing easements provide sufficient rights to the public, or whether these need to be renegotiated. One additional easement along the creekfront between Third and Fourth streets is required to provide for streambank stabilization. This easement on the assembled Winn property (4B) will also allow for the extension of the Sabine Street and its promenade between Fourth Street and Palm Park, and for the proposed reconstruction of the Third Street bridge over Waller Creek. This additional easement of approximately 13,500 square feet would extend the existing easement east from the Sabine Street right-of-way by about 100 feet. (See Figure 20)

Building Setbacks: Along Sabine Street, buildings should be built to the property line. Greater setbacks will be permitted by the City, if such setbacks provide publicly-accessible open space or passageways between Sabine Street and the creek.

Encroachments within Creek Corridor: Encroachments into public access or multi-use easements and dedicated parkland along the creek corridor, will be permitted by the City subject to the following provisions:

- The encroachment is utilized for outdoor restaurant or café seating and/or public open space or access-ways, and does not include any habitable or conditioned interior space;
- The encroachment does not protrude more than 20 feet into an easement or into parkland. (Note: greater encroachments may be permitted, if the responsible director finds that such additional encroachment complements the creek improvements and does not impede public access or enjoyment of the creek.)
- The encroachment occurs subsequent to approved improvements within the creek corridor, including but not limited to: re-vegetation, bank stabilization, removal of dams or other obstructions, creation of public access to adjacent streets, etc. These shall be negotiated individually with private property owners as a condition for the encroachment.

- Any encroachment into designated parkland must be approved by PARD.

Pedestrian-Oriented Streetfront Uses: New development along street frontages shall incorporate ground level pedestrian-oriented uses described above in the district-wide standards, (See Figure 14) with the following exception:

- Ground level residential living space is not permitted within this sub-district. (Lobbies and common areas are excepted from this provision.)

Historic Preservation: The Waterloo Compound, a cluster of mostly residential buildings dating from the mid-19th century and oriented to Third Street, should be preserved and adaptively re-used with pedestrian oriented uses. The Moonshine Bar and Grill group of three buildings at the corner of Red River and Third streets are City landmarks. Any new development on Parcel 4A along the Red River or Third street frontages shall be required to establish a street wall no higher than 35 feet for at least 40 feet along the street frontage to create a compatible relationship with the Waterloo Compound, which may be eligible to become a National Register and/or Local Historic District.

Parking: No on-site surface or structured parking will be permitted on properties east of Sabine Street and west of the creek. New development will be required to provide off-site parking and/or to pay an in-lieu fee to the City’s Parking Enterprise for use of central shared parking (e.g., in the Convention Center garage).

Curb Cuts and Site Access: No curb cuts are permitted along the southern face of Fourth Street, adjacent to the commuter rail tracks and the Lance Armstrong Bikeway. Along Sabine Street and the IH 35 frontage road, curb cuts and driveways shall be limited to alleys, or to a single mid-block location, whichever is applicable.

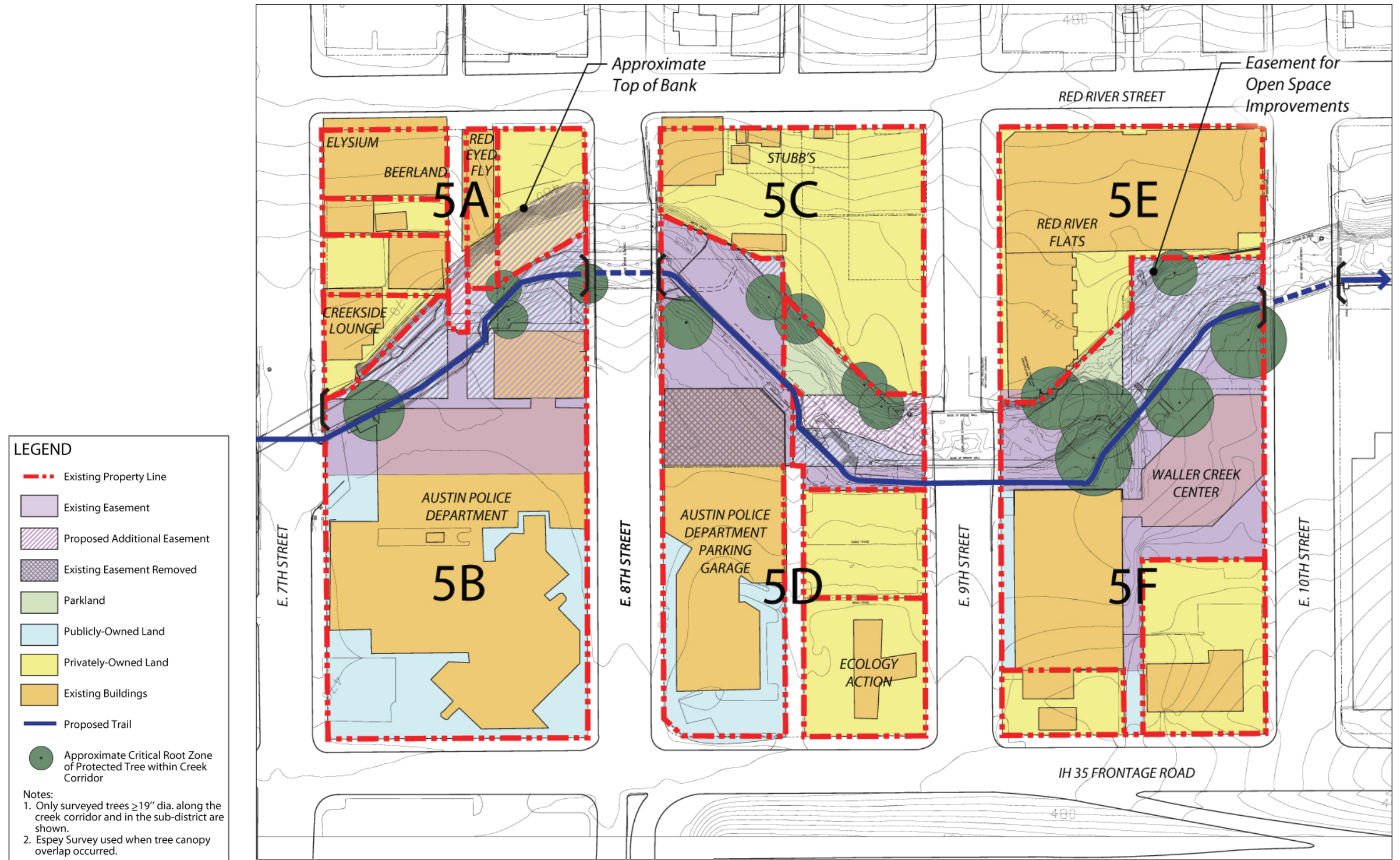
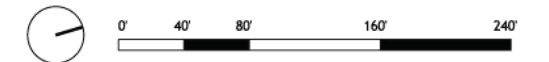


FIGURE 21: SEVENTH TO TENTH STREET SUB-DISTRICT



Seventh To Tenth Street Sub-District

This six-block sub-district is located between the IH 35 frontage road and Red River Street. (See Figure 21: Seventh to Tenth Street Sub-District) Waller Creek traverses the area with a pronounced bend that has resulted in significant erosion along the steep western banks. The exposed limestone streambed and the Bald Cypress trees within this reach create a highly picturesque setting. The City of Austin is a significant property owner within this sub-district. Along the eastern banks of the creek, the Austin Police Department (APD) occupies over four acres between Seventh and Ninth Street, and the City's Austin Water Utility is located in the Waller Creek Center site between Ninth and Tenth streets. The APD site, which includes the police headquarter building and a parking/fleet maintenance garage, overhangs the creek and is identified as a future redevelopment opportunity, subject to further study by the City, and selection and acquisition of an alternative Downtown site for the displaced functions. On the western banks of the creek along Red River Street, there are multiple properties, many of which are occupied by live music clubs, including Red Eyed Fly, Beerland and Elysium. The eroding banks on this side of the creek have penetrated the property lines and are threatening the buildings, some of which are precariously positioned at the top of the bank. Stubb's, an internationally-renown live music venue owns the block between Eighth and Ninth Streets between Red River Street and the creek and is planning to expand its existing facility north to Ninth Street. The Red River Flats apartments overlook Waller Creek on the block between Ninth and Tenth streets.

Capitol View Corridors create varied maximum building heights within the sub-district, with the APD property between Seventh and Eighth Streets allowed to a height of approximately 130 feet, while sites just to the north between Eighth and Ninth Streets are limited to 25 to 50 feet. With the future redevelopment of the APD site, the open space of the creek corridor could expand significantly in width to as much as 280 feet, creating the opportunity for a more park-like character with a less intensive commercial environment. This open space area on Block 5B (See Figure 21) is in an existing easement and, as shown on Table 1, would not preclude the considerable development potential of the remainder of the site, which is estimated at 583,000 square feet (FAR 5.1:1).

Public Easements: The APD complex of buildings (located on Blocks 5B and 5D in Figure 21) is currently constructed over an existing drainage easement. The Master Plan calls for any future redevelopment of the APD site between Seventh and Eighth streets to respect this easement so that it can be improved as parkland adjacent to the creek. On the portion of the APD site, north of Eighth Street, new development may be constructed on the existing footprint of the parking garage, and as such it is proposed that this portion of the easement be removed. In addition, the following new easements are recommended:

- The City should coordinate with private property owners along the western bank of the creek between Seventh and Eighth streets (Block 5A on Figure 21) to realize stream bank stabilization improvements, either as private improvements or as a joint, public-private project within a public easement.
- It is also recommended that all publicly-owned property, that is not already designated as parkland within the banks of the creek (Blocks 5A, 5C and 5E on Figure 21) be designated with public access and open space easements.

Encroachments within Creek Corridor: Encroachments into existing and proposed public easements along the creek corridor, will be permitted by the City subject to the following provisions:

- The encroachment is utilized for outdoor restaurant or café seating and/or public open space or access-ways and does not include any habitable or conditioned interior space;
- The encroachment does not protrude more than 40 feet into the easement area. (Note: greater encroachments may be permitted, if the responsible director finds that such additional encroachment complements the creek improvements and does not impede public access or enjoyment of the creek.)
- The encroachment occurs subsequent to approved improvements within the creek corridor, including but not limited to: re-vegetation, bank stabilization, removal of dams or other obstructions, creation

of public access to adjacent streets, etc. These shall be negotiated individually with private property owners as a condition for the encroachment.

Pedestrian-Oriented Streetfront Uses: New development along street frontages shall incorporate ground level pedestrian-oriented uses described above in the District-wide standards (See Figure 14), with the following exception:

- Ground level residential living space, (not including lobbies and common areas), is not permitted within this sub-district.

Building Massing and Configuration: Redevelopment of the APD site should be designed to enhance the creekfront experience. Any portion of the development above a 45-foot height should be stepped back from the creekfront façade by at least 20 feet. The massing and configuration of the buildings should be designed to bring the amenity of the creek into the site, with courtyards, plazas and/or gardens. Roof terraces overlooking the creek are also encouraged. Arcades, pergolas, canopies and other shading devices should be provided along the edges of the creek.



Exposed limestone streambed and Bald Cypress trees between 9th and 10th streets

Tenth To Twelfth Street Sub-District

In this sub-district, (See Figure 22: Tenth to Twelfth Street Sub-District) Waller Creek passes through City of Austin parkland, including Symphony Plaza between Tenth and Eleventh streets, Symphony Square at the intersection of Red River and Eleventh streets, and a landscaped open space area with two small parking lots west of Red River Street and just south of Twelfth Street. The small parking lots currently serve Serrano's Restaurant and the Austin Symphony offices and ticket sales which are located in the historic buildings of Symphony Square. Within this area, the Master Plan calls for the creek trail to cross at the Eleventh and Red River intersection at grade, rather than beneath the existing bridges which currently have low clearances and are highly constrained. It is proposed that the pathways beneath these two bridges either be closed to public pedestrian and bike circulation or be significantly upgraded with improved lighting and heightened security. If closed to the public, the undercrossing beneath the Eleventh Street bridge could still be retained for use by Symphony Square and its amphitheater, which will continue to function as a performance space and destination. (Note: Future reconstruction of the bridges could allow for the paths to be realized more graciously with greater clearances and widths.)

The historic Orsey-Doyle House and the surface parking located at the southeast corner of 11th and Red River Streets are currently used by the Symphony League. With regard to the surface parking lot, the Master Plan identifies a long-term goal for this area to be re-purposed as more useable parkland with a terraced lawn stepping down to the creek beneath the existing tree canopy. This revitalized parkland could be used for all kinds of small events, both in conjunction with the Austin Symphony and other organizations. This transformation would need to be accomplished with the cooperation of the Symphony League and subject to the availability of suitable off-site shared parking.

As shown on Figure 22, the sub-district includes a pattern of public and private land with several large assembled and improved parcels including the Sheraton Hotel between Tenth and Eleventh streets (6A on the map), and the Texas Workforce Commission west of the creek between Eleventh and Twelfth streets. Velocity Credit Union occupies a significant 2.4-acre site (located on Block 6B) immediately adjacent to Symphony Square. The Workforce Commission and Velocity properties, both with low-rise build-



FIGURE 22: TENTH TO TWELFTH STREET SUB-DISTRICT

ings and only partially constrained by Capitol Views (with heights of 75 to 150 feet), have potential for significant redevelopment. However, their current CS (Commercial Services) zoning designation limits new development to an FAR of 2:1 and to a height of 60 feet. As discussed above and shown on Figure 12, it is recommended that these parcels be up-zoned to DMU and CBD.

Public Easements: No new easements are proposed within this sub-district.

Pedestrian-Oriented Streetfront Uses: New development along street frontages shall incorporate ground-level pedestrian-oriented uses described above in the district-wide standards, with the following exception:

- Ground-level residential living space is not permitted within this sub-district. (Lobbies and common areas are excepted from this provision.)

Building Massing and Configuration: Redevelopment of properties adjacent to Symphony Square (i.e., Block 6B on Figure 22) shall provide a stepback of at least 20 feet above a height of 30 feet along adjoining property lines with the historic complex. Along the Eleventh and Red River street frontages on these block faces, a stepback of at least eight feet above a 30-foot height shall be provided to create an appropriate scale transition. Pedestrian access to Symphony Square from new development on the Velocity Credit Union site should also be provided.

Appendix A: Projected Development Capacity on Opportunity Sites

(ASSEMBLED TO ONE-QUARTER BLOCK OR GREATER WITHIN THE TIF DISTRICT)

A. RAINEY STREET	BLOCK NUMBER	PARCEL NUMBER	LOCATION	ASSUMED LAND USE	PARCEL AREA (SF)	ALLOWABLE FAR*	FAR w/ CVC	BASELINE GFA (SF)	PROJECTED FAR **	PROJECTED GFA (SF)**
	N/A	R8	San Marcos at IH-35	RESIDENTIAL	32,740	12.0	12.0	392,880	12.0	392,880
	N/A	R6 East	Lambie and IH-35	RESIDENTIAL	39,046	12.0	12.0	468,552	12.0	468,552
	N/A	R6 West	East Ave btwn Lambie & River	RESIDENTIAL	61,040	12.0	12.0	732,480	12.0	732,480
	N/A	R5.4	NW Corner East & Cummings	RESIDENTIAL	25,693	12.0	12.0	308,316	15.0	385,395
	N/A	R5.3	East Ave btwn Cummings & River	RESIDENTIAL	19,456	12.0	12.0	233,472	14.8	287,949
	N/A	R5.2	SW Corner East & River	RESIDENTIAL	48,154	12.0	12.0	577,848	14.5	698,233
	N/A	R5.1	Rainey btwn Cummings & River	RESIDENTIAL	31,676	12.0	12.0	380,112	14.6	462,470
	N/A	R2.3	SW Corner East & Alley Extension	RESIDENTIAL	22,523	12.0	12.0	270,276	13.0	292,799
	N/A	R2.2	NW Corner East & Alley Extension	RESIDENTIAL	23,298	12.0	12.0	279,576	15.0	349,470
	N/A	R2.1	NW Corner Davis & East	OFFICE	24,018	12.0	12.0	288,216	14.5	348,261
<i>SUBTOTAL</i>					<i>327,644</i>			<i>3,931,728</i>		<i>4,418,488</i>
B. CREEK LAKEFRONT	N/A	W27.2 (1A)	Lakeview Towers (HACA)	RESIDENTIAL	110,700	8.0	8.0	885,600	10.5	1,162,350
	N/A	W27.1 (1B)	First btwn Trinity and Waller Ck	OFFICE	34,998	8.0	8.0	279,984	24.8	867,950
	N/A	W28 (1C)	21C Project Red River and C.C.	MIXED USE	102,090	10.0	10.0	1,020,900	11.0	1,122,990
<i>SUBTOTAL</i>					<i>247,788</i>			<i>2,186,484</i>		<i>3,153,290</i>
C. CESAR CHAVEZ GATEWAY	N/A	W29.1 (2A)	SW Corner Cesar Chavez Rainey	RESIDENTIAL	39,490	12.0	12.0	473,880	13.6	537,064
	N/A	W29.2 (2B)	SE Corner Cesar Chavez Rainey	RESIDENTIAL	40,450	12.0	12.0	485,400	15.3	618,885
	11	2C	NW Corner Cesar Chavez Sabine	RESIDENTIAL	71,435	8.0	8.0	571,480	10.0	714,350
	11B	2D	Palm School Block	CIVIC	34,320	8.0	8.0	274,560	2.3	78,936
<i>SUBTOTAL</i>					<i>185,695</i>			<i>1,805,320</i>		<i>1,949,235</i>
D. THIRD TO SEVENTH	35	4A (North)	4th btwn Red River & Sabine	HOTEL	35,490	8.0	8.0	283,920	12.7	450,723
	36	4B	IH-35 btwn 3rd and 4th	RESIDENTIAL	98,800	8.0	1.5	148,200	1.5	148,200
	61	4E	Lottery Building Block	RESIDENTIAL	70,900	8.0	2.8	198,520	2.8	198,520
	63	4H (Northeast)	SW Corner IH-35 and 7th	COMMERCIAL	17,230	8.0	8.0	137,840	8.0	137,840
<i>SUBTOTAL</i>					<i>222,420</i>			<i>768,480</i>		<i>935,283</i>
E. SEVENTH TO TENTH	90	5B	APD btwn 7th and 8th	MIXED USE	114,300	8.0	5.1	582,930	5.1	582,930
	91.2	5D (South)	APD north of 8th	MIXED USE	50,680	8.0	1.8	91,224	1.8	91,224
	91.1	5D (Northeast)	Ecology Action Site IH-35 & 8th		34,180	8.0	1.6	54,688	1.6	54,688
<i>SUBTOTAL</i>					<i>199,160</i>			<i>728,842</i>		<i>728,842</i>
G. TENTH TO TWELFTH	140	6B (East)	Velocity Sabine btwn 11th & 12th	MIXED USE	57,040	8.0	8.0	456,320	9.6	547,584
	140	6B (Northwest)	SE Corner 12th & Red River	OFFICE/COMM	15,406	8.0	1.5	23,109	1.5	23,109
<i>SUBTOTAL</i>					<i>72,446</i>			<i>479,429</i>		<i>570,693</i>
TOTAL ALL OPPORTUNITY SITES					1,255,153			9,900,283		11,755,832

* FAR under existing or proposed zoning.

** Assuming some use of Downtown Density Bonus Program and any Height Limitations under the Capitol View Corridors

Appendix B: Board and Commission Action Summary

Planning Commission – May 11, 2010

Action: Recommend the adoption of the Waller Creek District Master Plan with the following suggestions:

- Add statement that there should be no net loss of affordable housing within the planning area.
Staff response: Staff concurs with this recommendation. Proposed language is reflected in Attachment 6.
- Propose upzoning the tracts that are located between Red River and IH-35 from CS – Commercial Service to DMU - Downtown Mixed Use.
Staff response: Staff recommends no change to the current language.
- Include the City Council Resolution from Families with Children Task Force regarding the inclusion of family-friendly, housing design and amenities to the body of the plan.
Staff response: Staff concurs with this recommendation. Proposed language is reflected in Attachment 6.
- Encourage Council to quickly determine the appropriate entity(ies) for funding, management, and maintenance program in the corridor and the District.
Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.
- WCCAC to work with Symphony and staff to craft Master Plan language regarding Symphony leased property that is mutually agreeable.
Staff response: Staff agrees with this recommendation. Proposed language is reflected in Attachment 6.
- Include statement(s) that reinforce live music venue protection.
Staff response: Staff recommends pursuing strategies identified in the Downtown Austin Plan regarding live music and creative culture. Proposed changes to the Master Plan are reflected in Attachment 6. See Attachment 8 for summary of Downtown Austin Plan recommendations concerning live music.

Waller Creek Citizen Advisory Committee – May 20, 2010

Action: Recommended approval of Master Plan with the following suggestions:

- Add a bullet point in the discussion of Riparian Restoration Strategies to include streambank stabilization.
Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.
- Amend the language regarding the Symphony Square area to reflect staff's proposed language.
Staff response: Staff agrees with this recommendation. Master Plan language has been revised.
- Staff should provide to Council, as an appendix, an additional breakdown of costs for the Implementation Strategy.
Staff response: Staff agrees with this recommendation. Additional cost information was provided.
- Encourage having an overall tenant manager along Sabine Street which could contribute to attracting and maintaining tenants and the overall success of Sabine Street.
Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.
- Staff should work with the Consultant to re-evaluate the Pedestrian-Oriented Streetfront Uses.
Staff response: Staff agrees with this recommendation. Proposed language is reflected in Attachment 6.
- Add the following language to the discussion of affordable housing in the Master Plan:
“To achieve the City of Austin goal of achieving geographical dispersal of affordable housing, the Master Plan should preserve the existing affordable housing within the Waller Creek District at the same levels of affordability and should aim to create additional housing opportunities within the Waller Creek Corridor for families with children at all income levels.”
Staff response: Staff recommends adoption of the Planning Commission language regarding affordable housing.
- To the Lakeside Apartments discussion add: “with the objective that re-development of this site would result in at least a 1:1 onsite replacement of public housing units, including the same level of tenant protections, family income targets, and affordable rent levels.”
Staff response: Staff recommends adoption of the Planning Commission language regarding affordable housing.

- The City of Austin has committed to becoming the most family friendly city in the country and to ensuring that all policies and decisions support and enhance the quality of life for Austin's families with children. Amend the Master Plan to add the following statements:

Page 9 add sentence: “Parks and public space within the Waller Creek Corridor should be redeveloped and designed to meet the needs and interests of families with children and users of all ages.”
Page 15 add sentence: “In recognition of the City's commitment to becoming the most family friendly city in the country, opportunities for creating housing designed for families with children should be pursued.

Staff response: Staff agrees with these recommendations. Master Plan language has been revised.

- Encourage the City to negotiate and/or renegotiate easements with adjoining land owners to provide trail and creek access is critical where private ownership encroachments negate the greenbelt vision.
Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

Comprehensive Planning and Transportation Committee - June 7, 2010

Action: None taken

Design Commission - May 24, 2010

Action: Approved via letter, the Commission supports the guiding principles of the Plan and has the following concerns:

- Integration of the Waller Creek District Plan with the Downtown Plan (DAP). Is the district plan a subset of the DAP? If so, then reference the DAP, but don't take specifics from it that may change over time.
Staff response: The Waller Creek District is one of nine districts established in the DAP, the policy recommendations and development standards of this Master Plan will be incorporated within the overall DAP. See page 43 of the Waller Creek District Master Plan for more detail.
- Building massing including setbacks and stepbacks along the creek front should be developed specifically rather than lifting from the DAP.
Staff response: Setbacks and stepbacks were developed specifically for Waller Creek District and in some cases by Sub-District within the District.
- The Density Bonus provisions should be tied to the framework of the

Downtown Density Bonus Plan.

Staff response: Any density bonus provisions in the Waller Creek District Master Plan have been coordinated with the DAP-Density Bonus Plan.

- Lack of information on stormwater runoff impacts on Waller Creek of the proposed new streets and buildings.

Staff response: Staff generally concurs with this recommendation and proposes that it be coordinated during the implementation of the Master Plan.

- Publicly Accessible Open Space development standard needs to show a percentage of vegetated area, i.e. 25-30% vegetated similar to LEED requirements.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

- Rather than just Open Space requirements, define the quality of the open space and design intent that is desired, i.e. welcoming, shaded, plants, water, etc.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

- Rather than just Streetscapes, define the quality of the streets and design intent that is desired, i.e. walkable, interesting streets.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

- Define “creek access”. Discourage development that turns its back to the creek.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

- Boardwalks in the middle of the creek block the view of the creek. Long lengths should be minimized and “rest zones” should be incorporated.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

- Parking Authority needs to review the parking needs of the entire district rather than have parking served on an individual project basis.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

- Encourage uses that will enhance the vibrancy of the district.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

The Commission had the following recommendations:

- WCDP should have an on-going task force to address possible adjustments as market conditions change.

Staff response: The Waller Creek Citizen Advisory Committee already serves this role.

- Design Commission could be the guardian of WCDP standards/guidelines and alternative compliance reviews.

Staff response: The Waller Creek Citizen Advisory Committee already serves this role.

- Research green infrastructure in other cities and implement as part of the WCDP.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

- Maximize use of the tunnel for existing and future surface water run off.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan and as a part of the on-going maintenance of the Waller Creek Tunnel.

Downtown Commission - April 21, 2010

Action: Approved a resolution supporting the Waller Creek District Master Plan and encouraging methods to preserve, enhance and incentivize development, including the preservation of live music venues and other cultural amenities.

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

Environmental Board - May 19, 2010

Action: approved with conditions:

- Research on known contamination sites in the project area and in the tax increment redevelopment zone.
- A general assessment of the long-term change to tree cover and environmental protection in the development plan.
- A tree survey and more detailed landscaping standards for the corridor.

Staff response: Staff generally concurs with all of these recommendations and proposes that it be effectuated during the implementation of the Master Plan.

Music Commission - June 7, 2010

Action: Provided letter to Council dated June 16, 2010

Parks and Recreation Board - May 25, 2010

Action: Recommended adoption with no conditions.

Urban Transportation Commission - May 11, 2010

Action: Briefing provided, overall, favorable response.

Waterfront Planning Advisory Board - April 12, 2010

Action: Recommended adoption of the Master Plan with the additional recommendation that “as projects and guidelines move forward the Waterfront Planning Advisory Board expects design excellence in design and materials.”

Staff response: Staff generally concurs with this recommendation and proposes that it be effectuated during the implementation of the Master Plan.

