

Rhoades, Wendy

Late Backup

#30
#31

From: Robin Mayfield <[REDACTED]>
Sent: Wednesday, March 04, 2015 5:04 PM
To: Rhoades, Wendy
Subject: Garza property

Dear Ms. Rhoades,

I am a Westcreek resident of over 15 years now. When I moved out here, the only development was the still existing Randall's strip center. I loved the trees, the quiet, and the lack of traffic congestion. All three of those are gone now.

While I am a frequent user of businesses in the new developments at Mopac and William cannon, traffic has become a serious issue. I am aware that traffic is a problem all over Austin, and will continue to be until Council takes serious action about public transit.

Barring that, there are other ways that council can honor the spirit that is Austin. This is the same spirit that created the SOS ordinance in 1992. Yes, I am aware that Austin is growing rapidly. However, it can grow with more character if council will have the pride and cojones to do what is right.

I am firmly against raising the the car trip limit for the Garza property beyond 10,000 per day total maximum. Even that amount will create issues for local homeowners, taxpayers, and small businesses. I don't want an Austin that is filled with more big box franchise stores with no personal local character. Perhaps this development could be less dense, with more open space, more walking space, and more parkland area for people to gather.

Our aquifers are already so polluted that you can no longer see the bottom of Barton Springs. This is exactly what we were trying to prevent. Adding more development like what you propose in the aquifer recharge zone, while it may be legal because he-of course-obtained a developers clause, it doesn't mean that it is the right thing to do.

I believe that my so-called representative, Ms. Troxclair, does not represent the people in Westcreek nor Southwest Austin. Her ideas and votes are swayed by big business rather than local tax payers.

I am firmly against what you propose for this property.

Dr. Robin Mayfield
4911 Dry Oak Trail, 78749

Sent from Yahoo Mail for iPad

Rhoades, Wendy

From: LaDonna Massad <[REDACTED]>
Sent: Wednesday, March 04, 2015 3:55 PM
To: Rhoades, Wendy
Subject: Garza tract

Hi, Wendy,

I am told you are the zoning case manager and just wanted to make sure you had a record of my opposition to the 15,000-16,000 car trip limit associated with the Garza tract. Below is my e-mail to council members.

Thanks,
LaDonna Almaguer Massad

As a longtime Westcreek resident, I am writing to oppose the 16K or 15K car-trip limit associated with the Garza tract. To be clear, I am not against all development, but Westcreek already has become a cut-through neighborhood because of poor planning around the already-busy intersections at William Cannon and all the cross streets, from Brush Country to Brodie. And before that, poor planning by the state surrounding 290 toward the Y in Oak Hill. We must have fewer car trips.

I'm not sure why Council Member Troxclair's office indicates it hasn't heard much neighborhood opposition as my understanding is nine neighborhood groups oppose the level of car trips she is advocating.

Thank you to those council members who are trying to protect our neighborhoods. I am saddened that my elected official under the 10-1 plan puts developers ahead of the concerns of her constituents.

Rhoades, Wendy

From: cbwidaho <[REDACTED]>
Sent: Wednesday, March 04, 2015 6:59 PM
To: Rhoades, Wendy
Cc: Searle, Michael
Subject: Letter from SW Neighbors to be included in backup for C14-2014-0011 the Garza case
Attachments: March 4 letter to Council re the Garza Tract.pdf

Wendy,

Can you please include the attached, stand-alone letter from Southwest Austin neighbors in the backup material for the Garza case?

Thank you.

Cynthia Wilcox

We ask that City Council take one of three actions on the Garza case at the March 5, 2015 City Council Meeting:

- **Vote “no”**
- **Refer the case to Committee**
- **Approve no more than 7,000 unadjusted trips per day***

* We ask that you bind any agreement regarding this property with a restrictive covenant and conditional overlay that runs with the land.

7,000 trips per day is comparable to similar developments in the area, even those constructed prior to the current level of congestion which has caused the surrounding roads and intersections to operate at level of service “F”.

Please consider follow actions:

- **Prior to and as a pre-condition of approval, require Brandywine to provide the genuine site plan** (rather than the old conceptual “placeholder” site plan) to the surrounding community and to City Council. Surely a real estate investment trust like Brandywine - whose favorable tax status depends upon paying 90 percent of their taxable income in the form of dividends to shareholders - would not consider going under contract on any property without a concrete site plan which includes the real mix of uses, building sizes and locations, actual location of water quality ponds, the location of driveways in relation to the frontage road and MoPac entrance ramps, and other key features of the project. A vote on the trip numbers is all about giving the potential developer a framework to build within, so Council and the community ought to know what the applicant proposes to build prior to 2nd and 3rd reading.
- The costs to Austin taxpayers and District 8 residents caused by increasing the already generous entitlements on this property must be weighed against **the real plan**, not to a nonbinding “concept” in order for Council to make an informed decision regarding trip limits.
- Request information from TxDot about the actual location and configuration of entrances, exits, as well as necessary improvements to the MoPac/William Cannon intersection. This should include **the cost and timeline associated with each item**.
- Council Member Troxclair stated at the February 26 Council meeting that Brandywine was committed to communicating with neighborhoods and stakeholders. **The time for that communication is now, prior to further discussion of this case on 2nd and 3rd reading.**
- Because this continues to be an unusual and controversial case. Please require Council approval for the final site plan and the associated TIA.

Referring this case to committee with direction to authentically engage neighbors and businesses along the South MoPac and Brodie Lane corridors in proximity to the Garza tract will allow genuine community participation and increase the odds that a win-win solution can be brought to Council with the support of stakeholders. This will also prevent further erosion of public trust, and allow real stakeholder participation which can mitigate and repair some of the negative aspects of last Thursday’s hearing, including:

- Over-reach on trips-per-day by the applicant
- The attempt to pass such a controversial case on all three readings at the first Council hearing

- Premature closure of the public hearing
- Confusion surrounding amendments. "...the lack of a formal amendment and second could throw Thursday's first reading decision into question, if anyone can figure out what happened".
The Austin Monitor
- Inclusion of illegitimate letters of support in Council backup and missing letters from concerned constituents
- The issue of a hazardous crossover merge onto MoPac as a result of this proposal has not been adequately explored or addressed
- **Not a single amenity for the surrounding community is included** in the proposal or conceptual site plan – **including the Violet Crown Trail**. City Urban Trails staff has been working to relocate this segment of the Violet Crown Trail from the Garza tract to the west side of MoPac as published here: <http://austintexas.gov/page/violet-crown-trail>

The current process is inadequate. Attorneys and developers' agents are paid hundreds of dollars an hour to work quietly behind the scenes with City Planning and Development staff for months or years. The affected community often becomes aware of drastic changes only at the last minute with insufficient time for meaningful public participation or input. Regular people with jobs and families have to scramble to put up a defense against a detrimental proposal in a matter of days or weeks. This leads to divisiveness, distrust, and inappropriate development that exacerbates traffic congestion in already congested areas and increases downstream flooding, while failing to address the real need for basic services in other areas.

We ask Council to do what was originally suggested by the Mayor and postpone all major policy decisions for the first 100 days. We believe the consequences and precedent set if Council approves this case, with so many outstanding questions and stakeholder concerns still unaddressed, justifies further deliberation prior to a final vote.

Please, vote "no," refer this case to a committee, or approve a cap of 7,000 unadjusted trips per day that runs with the land in perpetuity.

Sincerely,

Geoff and Robin Arnold, Theresa Bastian, Pam Bixby, Jeremy and Carrie Collier Brown, Barbara Colvin, Claudia Corum, Rosayn Curry, Lydia Fiedler, Richard and Beki Halpin, Tom Hammond, Paul and Lynn Kurth, Genaro and Lee Lopez, Randy Martin, Kathi Clough Miller, Marion Mlotok, Newland Morrefield, Amy Moseley, Pat Murphree, Pam Rogers, Elizabeth Rupp, Jack & Karen Sperry, Jerry Spoor, Jennifer Voss, Cynthia Wilcox

Affected residents of:

Circle C, Coalition of Austin Neighbors, Maple Run, Scenic Brook, South MoPac Neighbors' Alliance, Travis Country, Twin Creeks, Villages at Western Oaks, Westcreek, Wheeler Creek, Woodstone Village

Rhoades, Wendy

From: Susan Monsees [REDACTED]
Sent: Wednesday, March 04, 2015 7:01 PM
To: Rhoades, Wendy
Subject: Garza development--SW Austin

Wendy Rhoades,

I sent this message to the council and wanted you to have a copy. I also heard that council members were not receiving messages sent to all of them today. Since there may be a problem, will you please be sure that they all receive my message?

Thank you so much and please see below.

Susan Monsées

To Mayor Adler, Mayor Pro Tem Tovo, and all Council Members,

I have been a resident of the Westcreek subdivision in Southwest Austin since 1992. I am writing you about my serious concerns over the proposed development on the Garza tract in SW Austin. The traffic is already too heavy, very congested. To increase it, especially by the amount that has been discussed and approved on the first reading, will certainly make a bad situation much worse. I believe it will have many negative effects. One is that it will not be safe. It will effect the quality of life in our neighborhoods. I'm concerned about traffic cutting through our neighborhood, and also raising the crime rate. Some have mentioned to the Council that the development will lessen traffic because it will create jobs for the area, so less cars will be traveling on Mopac. That sounds nice but realistically I'm sure there will be plenty of neighbors working outside of this area and new employees traveling into the area from other parts of town to work here. I think the only traffic studies that were done for this development were on the Mopac/William Cannon area. Coming in from Highway 290 is also relevant going to the development and having traffic cutting through the Westcreek neighborhood to get there, as well as traffic cutting through from William Cannon and Brush Country. The proposed improvements for the traffic are not even definitely going to be made.

I am also very concerned about all of this building over the Edwards Aquifer Recharge Zone.

There has been no information provided about the effects that the increased traffic will have on water quality. Another concern is that Councilwoman Troxclair mentioned that there will be more time for public input, but I heard that that is actually incorrect, that the time is only now. We do need more time for this issue that will effect a significant number of Austin families.

Thank you for your time.

Rhoades, Wendy

From: Jim Beckett <[REDACTED]>
Sent: Wednesday, March 04, 2015 7:39 PM
To: Troxclair, Ellen; Searle, Michael; Rhoades, Wendy
Subject: Garza traffic limit (Westcreek resident)

Council woman Troxclair and staff,

First, I really appreciate your time at Panera last week. It was good to hear your views on many subjects and to hear your support for many non partisan problems such as inaccurate water bills. When so many people are upset it is obviously time for Austin Water to pay some attention.

Second I live on Fair Valley Trail in Westcreek so I get to go through the William Cannon intersections at Brodie and at Loop 1 all the time.

NOTE: weekends are worse than during the week AT PRESENT.

The point on the Garza tract:

I know you have supported the Garza rezoning on first reading.

I think you need to reconsider that decision based on the behavior of their lawyer and his attempts to intimidate the council. If the buyer backs out it only hurts the Garza family. Austin will be just fine. If it is such a great piece of real estate there will be other buyers who will find it.

From others in my neighborhood you have probably heard that there are lots of offices in SW Austin. This is not a need,

From the tone of the statements by the developers, I do not see that this will provide a great number of middle income jobs. It seems like we are supposed to support it because it will be beautiful and well done. With the congestion already there it seems to me that there should be something more to justify the increased frustration drivers will feel.

Having just visited the open house on the South Mopac express plans, I wonder if that will also impact the viability of this development.

Please also refer to the information you have from SOS, which seemed to me to have a more objective history of the tract than what the Garza representative has said. It also points out more concerns about what will happen to Williamson Creek.

Finally, the question still remains: if we have zoning laws why are they always subject to modification by developers? Why don't developers look at land that is zoned for their developments?

Thank You

Jim Beckett

Rhoades, Wendy

From: Lazarus, Joan [REDACTED]
Sent: Wednesday, March 04, 2015 7:56 PM
To: Rhoades, Wendy
Cc: Lazarus, Joan
Subject: Proposed Garza development

Dear Council Members,

I live in the Westcreek neighborhood close to Mopac and Wm. Cannon. I strongly oppose the proposed Garza tract plan at the limit of trips per day proposed at your last meeting. I understand there is confusion about the number of trips or adjusted trips upon which the Council voted, but 13,000 additional trips in this area is far too many for an area already very congested. The traffic study on this project rated this as an "F," so there is increased responsibility to consider the needs of those most directly impacted by your decisions. I support the office building as long as the trips per day remains 10,000 or fewer and nearby neighborhoods get traffic calming features adding to mitigate traffic from those avoiding the newly congested areas.

I look forward to your more thoughtful consideration of all citizens affected by your decisions.

Best,
Joan Lazarus
6209 Morning Dew Drive

Rhoades, Wendy

From: [REDACTED] behalf of Westcreek Neighborhood Association
Sent: Wednesday, March 04, 2015 7:57 PM
To: Troxclair, Ellen; Searle, Michael
Cc: Rhoades, Wendy
Subject: Re: Sharing correspondence sent from neighbors: Please vote "no" on C14-2014-0011 (Garza case), or send it to Committee

Dear Ellen and Michael - We'd like to request request that any correspondence sent directly to your office/Council from constituents not be directly shared with others unless by public record protocols.

Is that agreeable?

Thank you,

Jennifer

----- Forwarded message -----

From: cbwidaho [REDACTED]
Date: Wed, Mar 4, 2015 at 6:47 PM
Subject: Please vote "no" on C14-2014-0011 (Garza case), or send it to Committee
To: Steve.Adler@austintexas.gov, Ora.Houston@austintexas.gov, Delia.Garza@austintexas.gov, Sabino.Renteria@austintexas.gov, Gregorio.Casar@austintexas.gov, Ann.Kitchen@austintexas.gov, Don.Zimmerman@austintexas.gov, Leslie.Pool@austintexas.gov, "ellen.troxclair" <Ellen.Troxclair@austintexas.gov>, "kathie.tovo@austintexas.gov" <Kathie.Tovo@austintexas.gov>, Sheri.Gallo@austintexas.gov
Cc: Nancy.Cardenas@austintexas.gov, Christopher.Hutchins@austintexas.gov, Laura.Williamson@austintexas.gov, Ashley.Fisher@austintexas.gov, Katherine.Nicely@austintexas.gov, John.Lawler@austintexas.gov, Donna.Tiemann@austintexas.gov, Gregory.Watson@austintexas.gov, Katie.Halloran@austintexas.gov, "Searle, Michael" <Michael.Searle@austintexas.gov>, "joi.harden@austintexas.gov" <Joi.Harden@austintexas.gov>, Shannon.Halley@austintexas.gov, Taylor.Smith@austintexas.gov

Dear Mayor Adler, Mayor Pro-Tem Tovo and Council Members Houston, Garza, Renteria, Casar, Kitchen, Zimmerman, Pool, Troxclair and Gallo,

We ask that City Council take one of three actions on the Garza case at the March 5, 2015 City Council Meeting:

- **Vote "no"**
- **Refer the case to Committee**
- **Approve no more than 7,000 unadjusted trips per day***
 - * We ask that you bind any agreement regarding this property with a restrictive covenant and conditional overlay that runs with the land.

7,000 trips per day is comparable to similar developments in the area, even those constructed prior to the current level of congestion which has caused the surrounding roads and intersections to operate at level of service "F".

Please consider follow actions:

- **Prior to and as a pre-condition of approval, require Brandywine to provide the genuine site plan** (rather than the old conceptual “placeholder” site plan) to the surrounding community and to City Council. Surely a real estate investment trust like Brandywine - whose favorable tax status depends upon paying 90 percent of their taxable income in the form of dividends to shareholders - would not consider going under contract on any property without a concrete site plan which includes the real mix of uses, building sizes and locations, actual location of water quality ponds, the location of driveways in relation to the frontage road and MoPac entrance ramps, and other key features of the project. A vote on the trip numbers is all about giving the potential developer a framework to build within, so Council and the community ought to know what the applicant proposes to build prior to 2nd and 3rd reading.
- The costs to Austin taxpayers and District 8 residents caused by increasing the already generous entitlements on this property must be weighed against **the real plan**, not to a nonbinding “concept” in order for Council to make an informed decision regarding trip limits.
- Request information from TxDot about the actual location and configuration of entrances, exits, as well as necessary improvements to the MoPac/William Cannon intersection. This should include **the cost and timeline associated with each** item.
- Council Member Troxclair stated at the February 26 Council meeting that Brandywine was committed to communicating with neighborhoods and stakeholders. **The time for that communication is now, prior to further discussion of this case on 2nd and 3rd reading.**
- Because this continues to be an unusual and controversial case. Please require Council approval for the final site plan and the associated TIA.

Referring this case to committee with direction to authentically engage neighbors and businesses along the South MoPac and Brodie Lane corridors in proximity to the Garza tract will allow genuine community participation and increase the odds that a win-win solution can be brought to Council with the support of stakeholders. This will also prevent further erosion of public trust, and allow real stakeholder participation which can mitigate and repair some of the negative aspects of last Thursday’s hearing, including:

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The current process is inadequate. Attorneys and developers’ agents are paid hundreds of dollars an hour to work quietly behind the scenes with City Planning and Development staff for months or years. The affected community often becomes aware of drastic changes only at the last minute with insufficient time for meaningful public participation or input. Regular people with jobs and families have to scramble to put up a defense against a detrimental proposal in a matter of days or weeks. This leads to divisiveness, distrust, and inappropriate development that exacerbates traffic

congestion in already congested areas and increases downstream flooding, while failing to address the real need for basic services in other areas.

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Please, vote "no," refer this case to a committee, or approve a cap of 7,000 unadjusted trips per day that runs with the land in perpetuity.

Sincerely,

Geoff and Robin Arnold, Theresa Bastian, Pam Bixby, Jeremy and Carrie Collier Brown , Claudia Corum, Rosayn Curry, Lydia Fiedler, Richard and Beki Halpin, Paul and Lynn Kurth, Genaro and Lee Lopez, Randy Martin, Kathi Clough Miller, Marion Mlotok, Newland Morrefield, Amy Moseley, Pat Murphree, Pam Rogers, Elizabeth Rupp, Jack & Karen Sperry, Jerry Spoor, Jennifer Voss, Cynthia Wilcox

Affected residents of:

Circle C, Coalition of Austin Neighbors, Maple Run, Scenic Brook, South MoPac Neighbors' Alliance, Travis Country, Twin Creeks, Villages at Western Oaks, Westcreek, Wheeler Creek, Woodstone Village

Rhoades, Wendy

From: Lee Pepe <[REDACTED]>
Sent: Wednesday, March 04, 2015 8:03 PM
To: Rhoades, Wendy
Subject: Garza Tract - city council 3/5 meeting

Dear Mayor Adler, Mayor Pro-Tem Tovo and Council Members Houston, Garza, Renteria, Casar, Kitchen, Zimmerman, Pool, Troxclair and Gallo,

I live in the Westcreek neighborhood, less than 2 miles from the Garza tract which you are voting on tomorrow in regard to trip limit increases. I am not opposed to an office development at the property but I am opposed to the substantial traffic impact and cut-through traffic for Westcreek that will be brought on by an additional (currently proposed by Council) 13,000 trips per day if allowed at this property.

Our neighborhood enjoys access to major arterials and highways but we also uniquely suffer from nearby commuters trying to escape the area's unsustainable congestion. Westcreek already has an extraordinary amount of cut-through by people trying to avoid the William Cannon/Mopac intersection. People who live in neighborhoods all along William Cannon, Convict Hill, Beckett, and even Escarpment (including Western Oaks, Village of Western Oaks, Legend Oaks, Beckett Estates, Beckett Meadows, etc.) use Westcreek as a means to escape the congestion. Our neighbors are frequently tailgated, swerved around and passed on a double line (many times with an obscene gesture) when people aren't happy they are driving a speed limit of 30 (too fast for a neighborhood anyway). There are some drivers who view our neighborhood streets as their rightful freeway.

We had a cut-through driver die after he lost control after speeding and nearly hitting a child. That driver went off the road, flipped and sheared off the top half of his vehicle wedged between trees just feet away from someone's back yard. To make matters scarier, a segment of the cut-through passes by an elementary school, a daycare, and a regional soccer field.

This is a main reason many of my neighbors take issue with a currently proposed traffic impact from a development with an additional 13,000 trips per day at Mopac and William Cannon. A good chunk of people trying to avoid the increased congestion caused by the 13,000 per day will use our neighborhood.

Thank you for considering a much lower trip count that is reasonable for this area and for considering the daily difficulties that congestion and increased traffic brings to our community.

Respectful
Lee Pepe

Rhoades, Wendy

From: Trudy [REDACTED]
Sent: Thursday, March 05, 2015 8:42 AM
To: Rhoades, Wendy
Subject: Garza Ranch comment

Hi Wendy,

I hope I am sending this email re today's council vote on the increased vehicle trips for the Garza Ranch tract.

I am concerned that the traffic study did not take into account an increase in cut through traffic through the Westcreek Neighborhood. We already experience speeding cars cutting through our neighborhood by those avoiding the congested William Cannon/Mopac intersection. With the significant increase in the trip limit, Westcreek will definitely feel the impact.

I am not opposed to the development (assuming environmental safeguards will be required), but the traffic study seems woefully inadequate to me. Please pass my concern to council today.

Sincerely,
Trudy Hasan
6103 Sun Vista Drive (Westcreek resident)
Austin 78749

Sent from my android device.

Rhoades, Wendy

From: Jessica Parker [REDACTED]
Sent: Thursday, March 05, 2015 9:29 AM
To: Rhoades, Wendy
Subject: Garza Tract

Dear Mayor Adler, Mayor Pro-Tem Tovo and Council Members Houston, Garza, Renteria, Casar, Kitchen, Zimmerman, Pool, Troxclair and Gallo,

I live in the Westcreek neighborhood, less than 2 miles from the Garza tract which you are voting on tomorrow in regard to trip limit increases. I am not opposed to an office development at the property but I am opposed to the substantial traffic impact and cut-through traffic for Westcreek that will be brought on by an additional (currently proposed by Council) 13,000 trips per day if allowed at this property.

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Thank you for considering a much lower trip count that is reasonable for this area and for considering the daily difficulties that congestion and increased traffic brings to our community.

Respectfully,

Jessica Parker

Rhoades, Wendy

From: Melba Davis [REDACTED]
Sent: Thursday, March 05, 2015 10:18 AM
To: Rhoades, Wendy
Cc: Melba Davis
Subject: Garza Case

Dear City Council,

Please vote for the least amount of car trips per day.

Thank you,
Melba Davis
Westcreek resident

Garza Tract Zoning Case C14-2014-0011A and C14-2014-0011B
Focus on TIA and Traffic Related Issues and Important Relevant Questions

As Council members are aware, the major focus of the current Garza zoning case is to **lift the trip limits for the development**. However, it is clear that the proposals to maximize the density of the development in this environmentally sensitive area and the associated and significant increase in the requested trip limits has naturally reopened questions pertaining to the risk of increased flooding and damage to the environment. In an attempt to stay focused on the current proposal to lift the trip limits, the major points of discussion seem to center around the following:

- A. The Traffic Impact Analysis (TIA) completed in May 2012 and updated in November 2014
- B. The safety issues pertaining to ingress and egress between the development and the Mopac frontage roads in close proximity to failed intersections and a northbound Mopac entrance ramp
- C. The currently congested "F" graded intersections that will be further compromised with the increased trips
- D. The uncertain potential or commitment to address the recommended intersection improvements that were included in the Traffic Impact Analysis
- E. The fact that all of the above are tied to a TIA that was based upon a "Conceptual Site Plan" rather than an actual site plan
- F. The lack of clarity in the language of the Restrictive Covenant that ties future decisions to the TIA and under the purview of the Planning and Development Review Department.

Given the complexity of all of these issues and the fact that so many of the questions are related to matters over which the Texas Department of Transportation (TxDot) has jurisdiction, it is surprising that TxDot has not had a more public role in the conversation, at least at the Council level. There may be reasons why this level of interaction has not occurred it is important for the City Council as well as the impacted stakeholders to better understand TxDOTs position related to these important issues.

A. The Traffic Impact Analysis (TIA) completed in May 2012 and updated in Nov. 2014

The TxDOT *Access Management Manual*, Chapter 3 provides guidelines pertaining to TxDOT authority and involvement in determining the needs and scope of Engineering and Traffic Impact Analyses including guidelines and requirements for coordination with local authorities in defining the scope of required TIAs (specifying intersections to be included), and other fundamental issues such as spacing requirements between driveways and location of driveways in proximity to major intersections and in relation to freeway entrance and exit ramps. TxDot manuals including the Access Management Manual and the Design Manual can be found at:

http://onlinemanuals.txdot.gov/txdotmanuals/acm/engineering_analysis.htm and at <http://onlinemanuals.txdot.gov/txdotmanuals/rdw/rdw.pdf>

Several questions have been recently raised related to two particular intersections that were not included in the study, such as the Hwy 290 and Mopac Intersection and the Brodie Lane and 290 intersection. In response to a the same general question raised, by Planning Commission member Jeff Jack at the December 9 Planning Commission meeting of this case and by also asked by Mayor Pro Tem Tovo at the recent February 26 meeting, Transportation

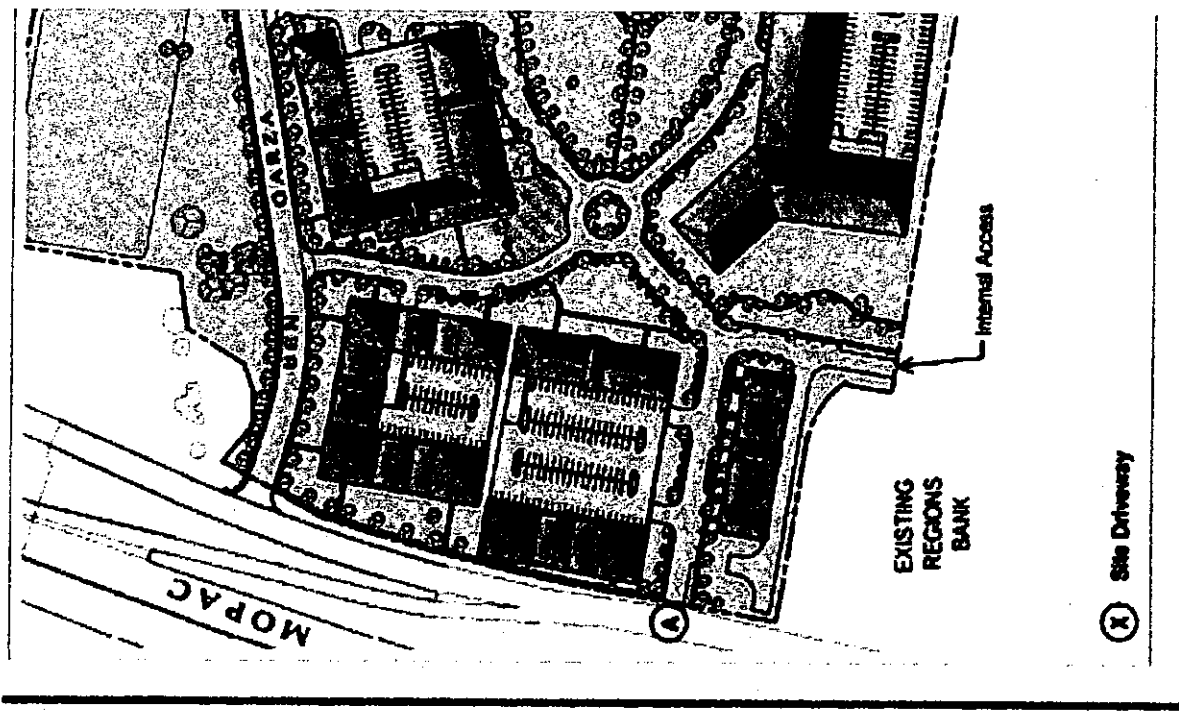
Engineer, Kathy Smith was consistent in stating that City staff identified the intersections to be included in the TIA. She did not mention involvement or direction from TxDot even though Mopac and 290 both require TxDot guidance on the scope of the traffic analysis.

TxDot Question 1: What role did TxDOT perform in defining the scope of the Traffic Impact Analysis for this development and especially in the identification of the intersections for inclusion in the study?

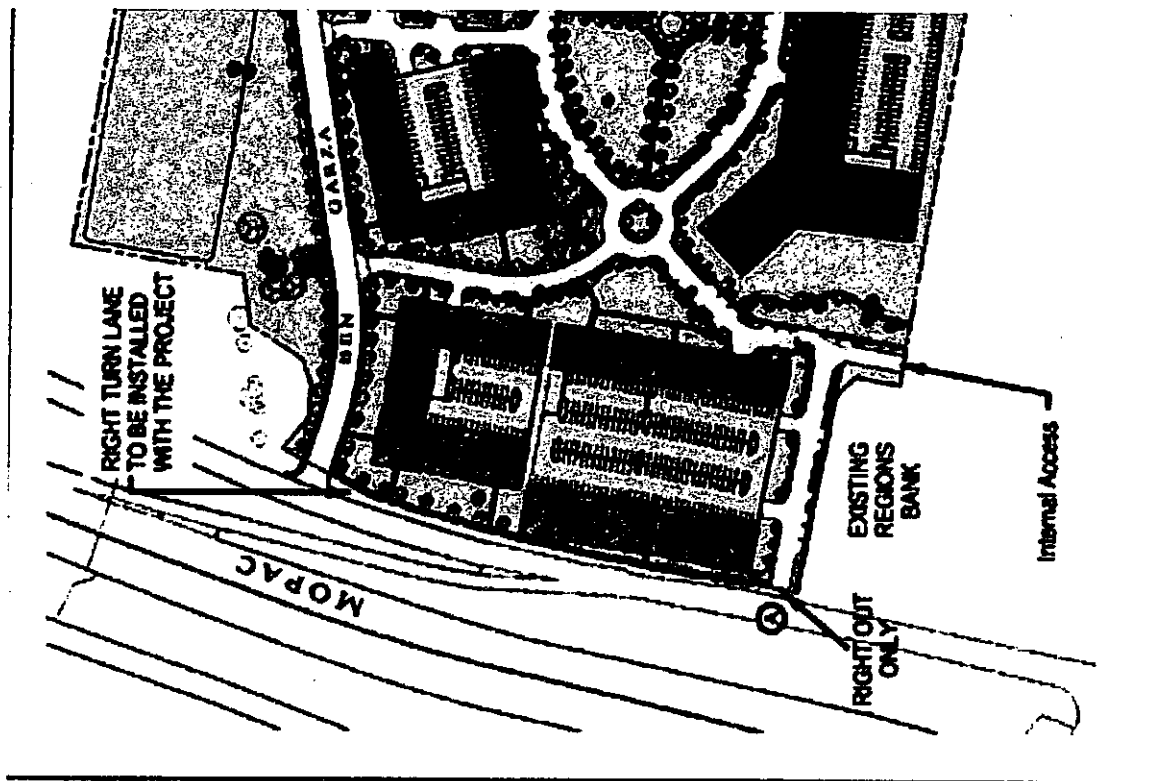
TxDot Question 2: Why were intersections that will most certainly be impacted by the significantly increased trips not included?

In relation to item B. above, the most significant concern expressed by stakeholders involves the proximity of the development's driveways to the northbound Mopac frontage roads and most significantly the location of Driveway "A" in proximity to the heavy traffic coming out of the "F" rated Mopac and William Cannon Intersection and the very close proximity to a northbound mopac freeway entrance ramp. The heart of the concern is with the dangerous and uncomfortable cross weaving of traffic between those wanting to exit the new development to access the on-ramp with commuters wanting to enter the development via Ben Garza Lane and with the other general frontage road traffic in this congested area. Complicating the discussion is the **inconsistent** use by representatives of the applicants and city staff of the conceptual site plan from the 2012 TIA vs. the one from the 2014 TIA in discussions with residential stakeholders and in council meetings. As can be seen on the conceptual site plans above, there are significant differences with the with the location of what is called the "South Exit" or "Driveway A" as well as to the inclusion of a deceleration lane for entering the development which was seen as a positive development in the 2014 rendering. Stakeholders realize that these are only "conceptual" plans but the lack of consistency and clarity only raises more questions about the outcomes of approval now without an actual plan.

This is the relevant section of the Conceptual Site Plan from the 2012 TIA:



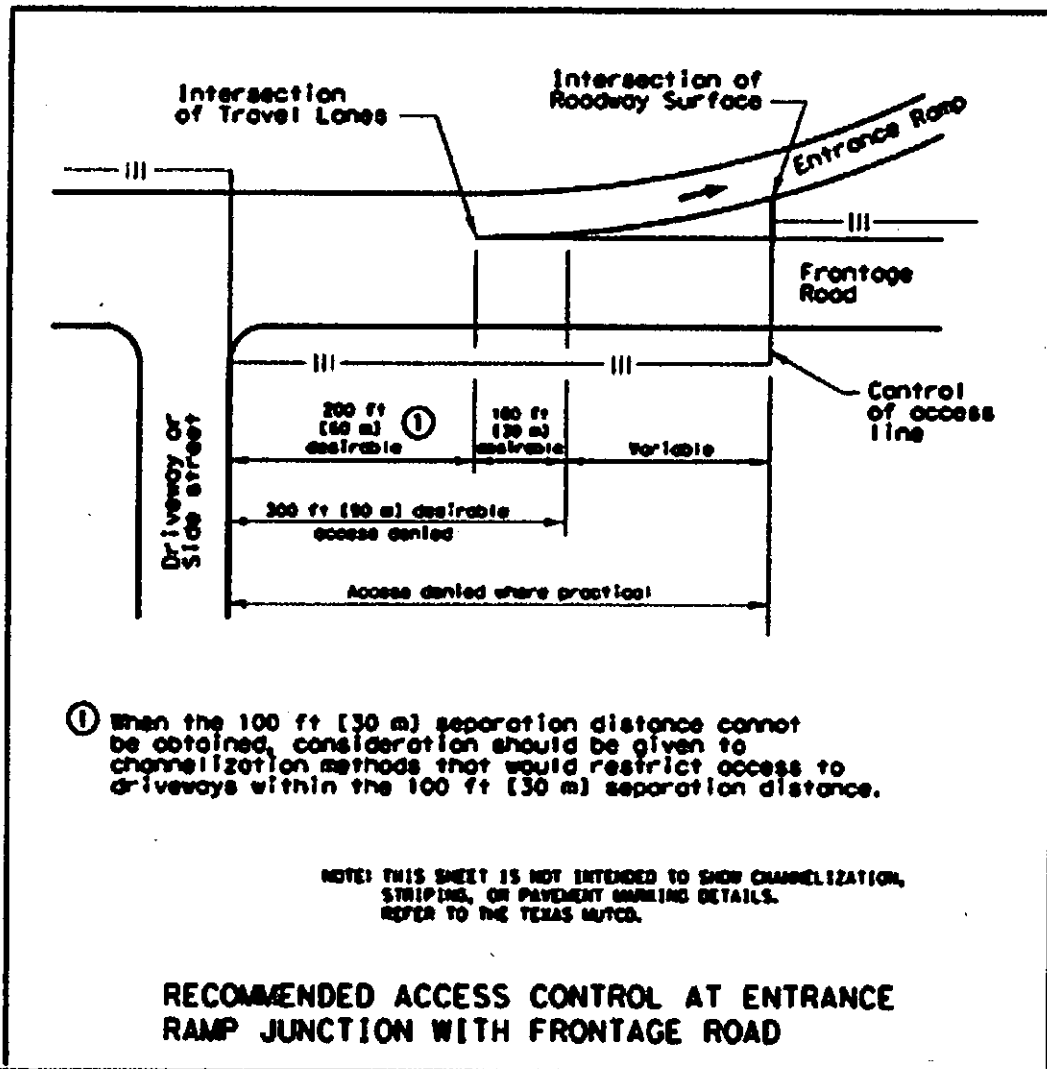
This is the relevant section of the Conceptual Site Plan from the 2014 TIA:



Over the past month, discussions between representatives of the applicants and concerned residents centered around the potential for lowering trip counts (no resolution was achieved on this issue) and potential solutions or improvements for Driveway A, such as the movement of the driveway as far south as possible allowing more distance for accessing the on-ramp, the designation of the driveway as "curb buffered," "exit only" and "right turn only" and the inclusion of a gate which would be closed in the morning peak hours of 7-9 a.m., at the request of the Western Oaks Property Owners Association

Stakeholders have only recently noticed that the staff reports accompanying the February 12 (postponed), February 26 and March 5 City Council agendas have only included the 2012 conceptual drawing. This has raised questions about the previous understandings discussed with local residents and neighborhood groups as described in the above paragraph and consistent with the conceptual site plan included in the updated 2014 TIA.

The TxDot Roadway Design Manual, Chapter 6, under Access Control, includes clear specifications for many aspects roadway design to reasonably maximize safety and service for end users. Included is a diagram that seems very relevant to the location and design of driveways associated with the Garza Development.



TxDot Question 3: Has TxDot reviewed the proposed driveways associated with the either or both of the Conceptual Site Plans and does TxDOT have a recommendation or position related to the requirements for the issuance of permits, by TxDOT for the driveways as presented in these plans and relative to the solutions and improvements discussed with stakeholders in association with Driveway A as described at the top of page 4 of this document?

In relation to items C and D above pertaining to the increased congestion of already "Failing" intersections and the recommended improvements to mitigate further compromises to the intersections, it is unclear to stakeholders whether there is any funding or commitment to comply with the recommended improvements. Although the staff report for the recent and current City Council meetings states on page 4 that "the traffic impacts from the development described above has been addressed, and will be referenced in a public Restrictive Covenant that covers the conditions of a Traffic Impact Analysis."

During the February 26, 2015 Council discussion regarding the Garza tract, several speakers noted the Mopac South Environmental Open House which was simultaneously occurring on the same evening, as if there was a direct relation to the Garza tract traffic impact and potential improvements. This South Mopac Improvement project, in which "CTRMA and TxDOT are

working with the City of Austin, Capital Metro and other local partners to improve mobility on approximately eight miles of the MoPac Expressway from Cesar Chavez Street to Slaughter Lane” is primarily focused on the addition of express lanes which will improve conditions for commuters passing the area and the, as of yet determined, relocation or alignment of some entry and exit ramps associated with South Mopac. It should be noted that **none of the intersection improvements recommended in the TIA for the Garza Development, such as the addition of three right turn lanes at the Mopac and William Cannon intersection are within the current scope of the South Mopac improvement project referenced above.**

TxDot Question 4: Are there any changes recommended with regard to entrance and exit ramps associated with the Mopac South improvement project referenced above that will positively impact the William Cannon and Mopac intersection and is there a specific recommendation regarding the entrance ramp adjacent to the proposed Garza Development?

TxDot Question 5: Are there any allocated or unallocated but potentially available funds for making the recommended improvements that will mitigate the unacceptable (E or F) Level of Service intersections identified in the TIA for the Garza Project and/or for the unstudied intersections of 290 and Mopac and 290 and Brodie? Also, are the percentage of funds from the developer for their portion of the mitigation projects refunded if the projects are completed within a certain amount of time? Are actual funds collected, or is the applicant simply required to agree to provide a percentage of the funds when the improvements are actually scheduled?

This brings us to the remaining items E and F which may be more appropriately directed to city staff at this point in the process.

E: The fact that all of the above are tied to a TIA that was based upon a “Conceptual Site Plan” rather than an actual site plan; and

F: The lack of clarity in the language of the Restrictive Covenant that ties future decisions to the TIA and places them under the purview of the Planning and Development Review Department.

These items (E & F) are both inextricably linked to the insufficient scope of the TIA and to the suggested abrogation of authority on the most fundamental and remaining decisions regarding the development of the Garza tract.

While the quality of the work done by the selected Engineer in analyzing the identified intersections has not been a major source of questions and concerns, there have been questions about the objectivity of the TIA as a whole since the applicants paid the City of Austin \$5000 to conduct the TIA and since the engineer, Kathy Smith of HDR Engineering serves as the traffic analyst for Cunningham Allan, a firm that represents the Garza interests. There have also been consistent questions pertaining to the scope of the TIA and specifically the omission of some major intersections which were not evaluated as part of the TIA but will undoubtedly be impacted by the proposed development.

Yesterday, we sent a letter focused on our overall questions and concerns related to the Garza Case. This is a follow-up to that letter, which more specifically focuses on the TIA and associated issues.

Thank you for considering this information in your deliberations of the Garza Zoning Case this afternoon.

Affected Residents of Circle C, Coalition of Austin Neighbors, Maple Run, Scenic Brook, South Mopac Neighbors' Alliance, Travis Country, Twin Creeks, Villages at Western Oaks, Westcreek, West Creek (different from Westcreek), Wheeler Creek and Woodstone Village. Specific signees remain the same.