

BRIEFING SUMMARY SHEET

DEVELOPMENT ASSESSMENT CASE NUMBER: CD-2015-0009

DISTRICT AREA: 10

REQUEST:

Presentation of a Development Assessment Report for The Grove at Shoal Creek Planned Unit Development (PUD), located at 4205 Bull Creek Road, within the Shoal Creek Watershed.

DEPARTMENT COMMENTS:

The applicant has submitted a project assessment for a 75.74 acre mixed use project generally located on Bull Creek Road at 45th Street (please see Exhibit A: The Grove at Shoal Creek PUD Land Use Plan). According to the TIA Determination Worksheet that was submitted with the application, the proposed PUD will include over 500 apartment units, nearly 300 units of single family housing, over 400 residential condos, a 400 bed congregate care facility, a 100 room hotel, 350,000 sq. ft. of office uses, 115,000 sq. ft. of retail including a 35,000 square foot grocery store, and up to 16 acres of open space.

The property in question was previously owned by the State of Texas and therefore is listed as “UNZ” or unzoned on the zoning case map (please see Exhibit B: Zoning Case Map and Aerial Map). There are undeveloped areas along the north and east portions of the property. The south and west portions of the site are developed with state owned office buildings with parking facilities. Surrounding properties are primarily a mix of residential and office uses. The site under consideration is adjacent to single family residences to the north (SF-2 zoning) and south (SF-3 zoning). There are apartments and a senior living center to the west (MF-6-CO, MF-4 and GO-MU-CO zoning). The property directly to the east is unzoned and is developed with an industrial warehouse facility for the State of Texas archives. Further to the east are single family residences (SF-2 zoning). The site is located in the Rosedale Neighborhood Planning area, which does not have an adopted neighborhood plan.

The property is located in the Shoal Creek watershed which is classified as urban. Therefore, the allowable impervious cover is governed by the allowable zoning impervious cover not watershed impervious cover. This tract of land is also located within the Edward’s Aquifer Recharge 1,500 ft. verification zone.

The applicant has stated in application materials that the project will meet or exceed almost all of the Tier One PUD development standards, as well several of the applicable Tier Two standards. Therefore, they have proclaimed that the proposed PUD will result in a superior development to that which could be developed under conventional zoning standards (please see Exhibit C: Application Letter and Exhibit D: Attachment 1 – Tier 1 and Tier 2 Compliance Summary).

Examples of proposed superiority include: 1) providing greater open space at a level of 50% above the requirements of LDC Section 2.3.1.A. Tier One Requirements, by making at least 12 acres of open space that includes a large on-site, publicly accessible signature park space with amenities open to the public, 2) providing hike and bike trails along Bull Creek Road and Shoal Creek Road, 3) preserving more than 75% of all native caliper inches and native protected trees including preserving all of the high quality heritage trees on the property, 4) using innovative water quality controls and drainage improvements for the entire site through the use of a wet pond, rain gardens, bio-filtration and by constituting green water quality controls to treat at least 50% of the volume required by City Code, 5) providing roadway

intersection improvements through the use of turn lanes and signalization funded 100% by the applicant, 6) complying with at least a 2-star Green Building requirement and implementing an Integrated Pest Management Plan and 7) providing water system improvements that will improve water pressure to the area.

The applicant has stated that they believe that the baseline zoning should include a combination of SF-6 along the adjacent neighborhoods, MF-6 in the interior of the site adjacent to Shoal Creek, and GR-MU along the northern portion of Bull Creek Road and LO-MU along the southern portion of Bull Creek Road (please see Exhibit E: Letter from the Applicant Regarding the Baseline Designation). The staff response to the applicant's request is to recommend that the baseline zoning include a larger area of SF-6 along the existing neighborhood areas to the north along West 45th Street, to the east along Idlewilde Road and to the southwest along Bull Creek Road. The staff recommends MF-4 for the interior of the site and LR-MU zoning along the northwestern portion of the property along to Bull Creek Road (please see Exhibit F: Staff Recommendation for the Baseline Zoning).

The envisioned PUD proposal will seek the following modifications from the Land Development Code requirements (please see Exhibit C: Attachment 1 – Tier 1 and Tier 2 Compliance Summary): 1) the applicant is proposing modifications to the Subchapter E for inside the urban roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (Design Standards and Mixed Use) and 2) compliance with the sidewalk standards in Section 2.2.2., Subchapter E, Chapter 25-2 (Core Transit Corridors: Sidewalks and Building Placement) by developing Project Design Guidelines that will meet the intent and purposes of Subchapter E, while making compliance complete and easier to implement, 3) the applicant states that they will provide art approved by the Art in Public Places Program in open spaces as modified through the development of a public art plan created by the applicant, and 4) the project will comply with the City's Great Streets Program as modified by providing private street cross sections that will meet the intent and purposes of the Great Streets Program through their proposed Project Design Guidelines. The applicant has also included a Proposed Code Modifications table (please see Exhibit G: Attachment 4 – Proposed Code Modifications) in which they are requesting modifications/variances to the Code requirements concerning 5) Site Development Regulations (LDC Sec. 25-2-492, 6) for the definition of the term "story" as it applies to parking levels (LDC Sec. 25-1-21(47), 7) to Compatibility Standards in LDC Sec. 25-2-1063(B), Sec. 25-2-1063(C)(2), and to Sec. 25-2-1064, 8) to permit a greater outdoor seating area for the Restaurant (Limited) use (LDC Sec. 25-2-809(B), 9) to allow for off-street loading and unloading in alleys (LDC Sec. 25-4-132), to waive Secondary Street Access (LDC Sec. 25-4-171), 10) to allow for lots to front onto Private Streets (LDC Sec. 25-4-171), 11) to permit site plans, preliminary plans and other site development related permits to expire 10 years after approval (LDC Sec. 25-2-81 and Sec. 25-4-62), 12) to modify Street Design to allow for streets to be designed with Private Street Standards according to the applicant (LDC Sec. 25-6-171(A), 13) to replace Subchapter E (Commercial Design Standards) with the applicant's own Project Design Guidelines (LDC Sec. 25-2, Subchapter E), 14) to waive parkland requirements because of proposed open space areas (LDC Article 14, Sec. 25-1 and 25-4-211), 15) to allow for the removal of certain heritage trees (LDC Sec. 25-8-641), 16) to allow for the extension of public street within a site as a private street (LDC Sec. 25-4-151), 17) to permit impervious cover on a given site within a particular Tract within the development to exceed the amount provided on the Site Development Regulations Table as long as the total amount of impervious cover allowed on the Tract on an overall basis is not exceeded (LDC Sec. 25-1-23) and 18) to modify the definition of the term "open space" in the Planned Unit Development Standards (LDC Sec. 2.3.1(C).

In addition to the proposed baseline districts for the PUD and the proposed land use plan, the applicant has included a Permitted Use table for the tracts within the PUD (please see Exhibit H: Attachment 2 – Permitted Use Table) and a Site Development Regulations table (please see Exhibit I: Attachment 3 – Site Development Regulations) which specify the uses allowed and the minimum lot size, minimum lot width,

maximum dwelling units per acre, maximum height, minimum setbacks, maximum building coverage, maximum impervious cover and maximum floor to area ratio for the proposed tracts within the development. The applicant is requesting residential and some civic uses on Tracts A, C and E. On Tract D, they are requesting residential, civic office and low intensity commercial uses. The largest tract within the proposed development, Tract B (37.40 acres), will allow for a cumulative zoning of residential, civic, office, and more intensive commercial uses. These uses include automotive uses, cocktail lounge, exterminating services, liquor sales, outdoor sports and recreation and research services. The applicant is also requesting that the height on Tract B allow for buildings up to 75 feet tall with unlimited floor to area ratio (FAR).

The staff's comments on the applicant's Development Assessment submittal for this proposed PUD project are compiled in the Master Report for case CD-2015-0009 (please see Master Report – Exhibit J).

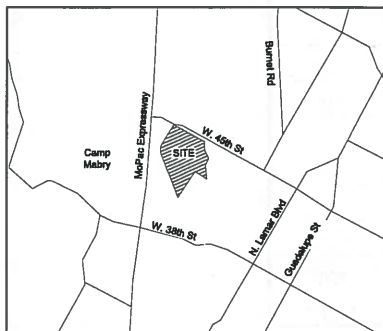
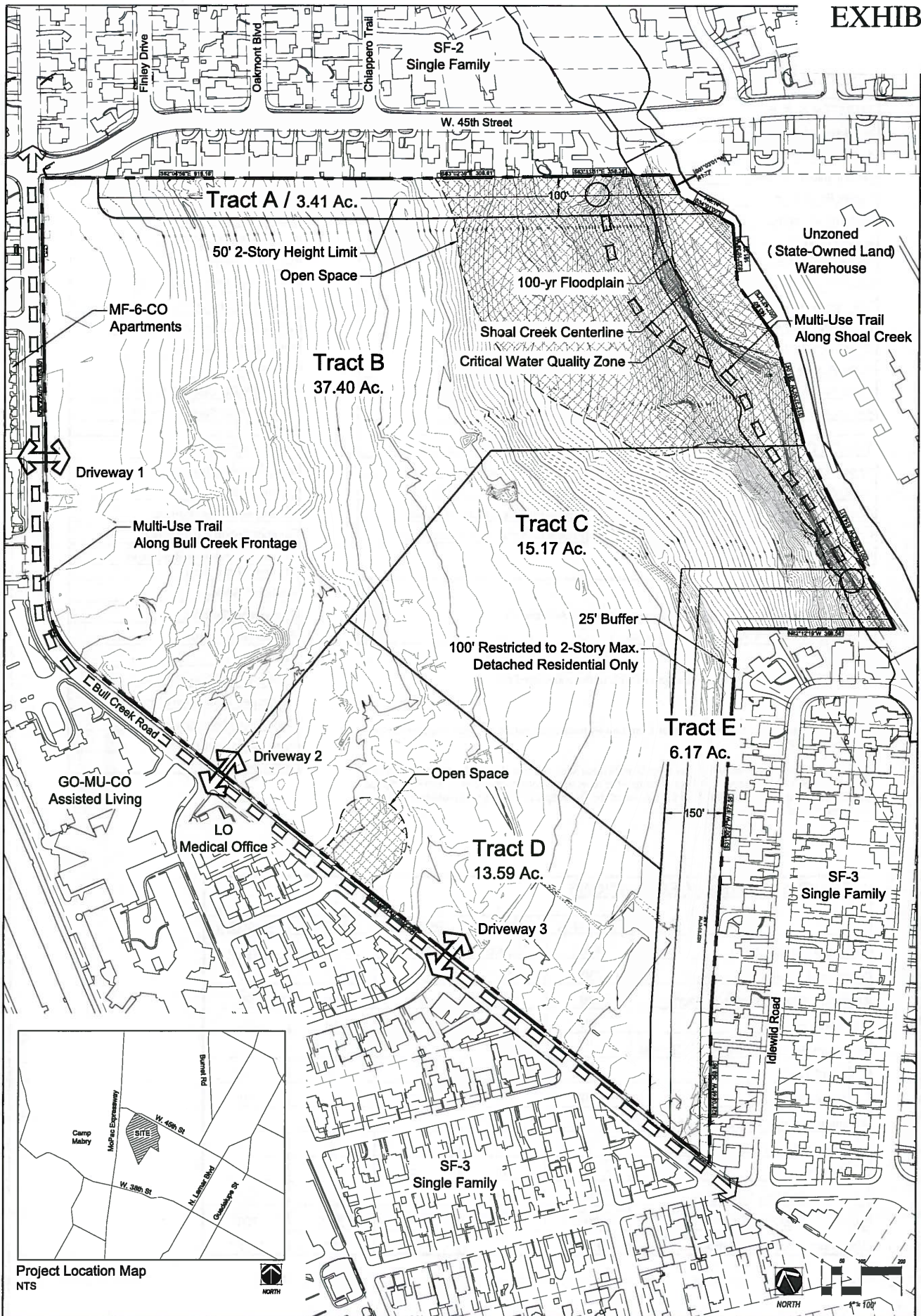
APPLICANT: Milestone Community Builders (Garrett Martin)

OWNER/APPLICANT: Thrower Design (A. Ron Thower)

CITY COUNCIL BRIEFING DATE: June 11, 2015

ASSIGNED STAFF: Sherri Sirwaitis

Email: sherri.sirwaitis@austintexas.gov
Phone: 512-974-3057



Project Location Map
NTS

The Grove at Shoal Creek Planned Unit Development Land Use Plan

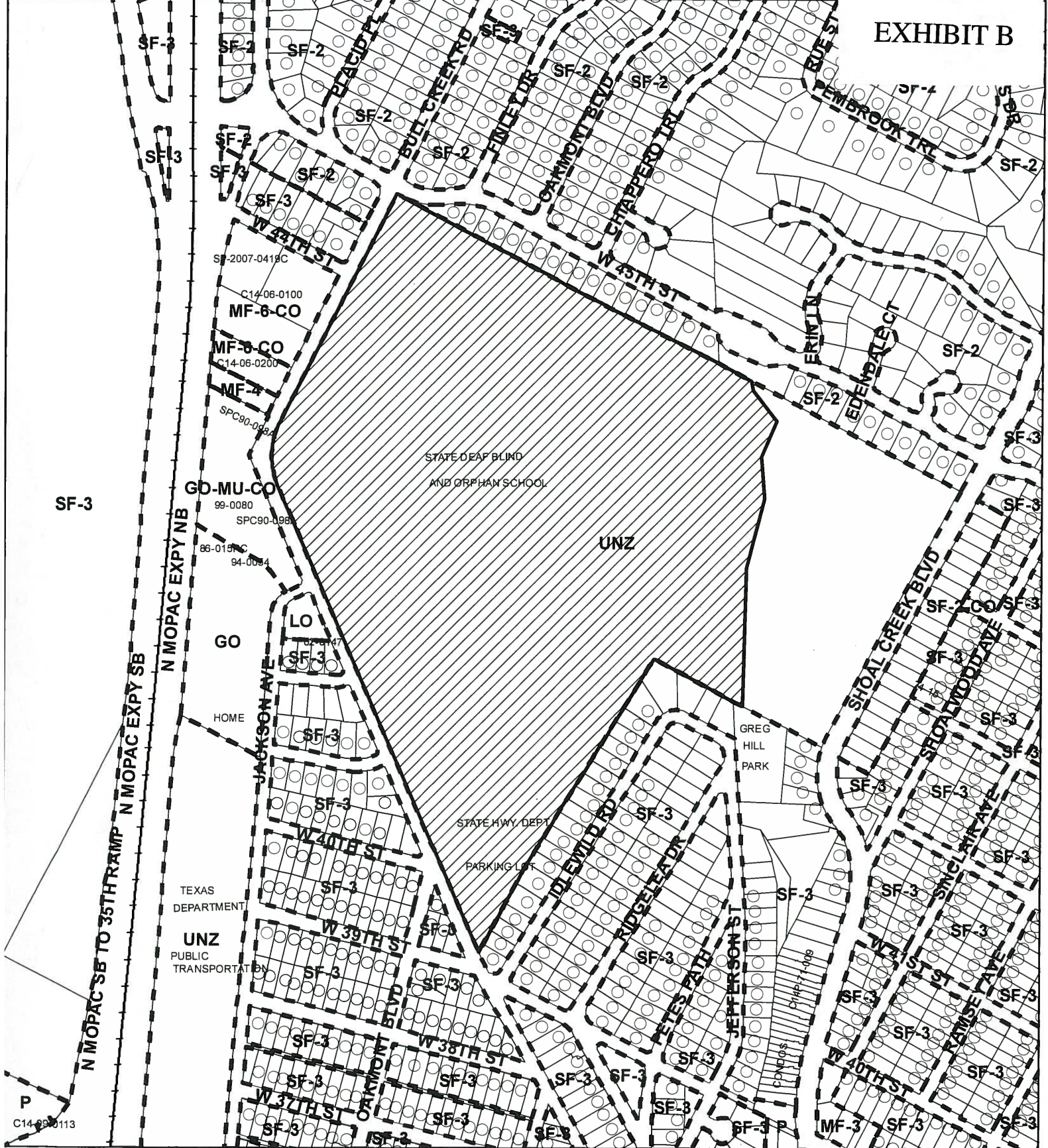
April 2015

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2121 E. Sixth Street, Ste 203
Austin, Texas 78702
P 512.900.7868
F 303.892.1186

www.norris-design.com





DEVELOPMENT ASSESSMENT

CASE#: CD-2015-0009

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

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Barton Oaks Plaza, Building II
901 South MoPac Expy | Ste 225
Austin, Texas 78746
phone 512.328.2008
fax 512.328.2409
www.mcleanhowardlaw.com

April 3, 2015

Mr. Greg Guernsey, Director
City of Austin
Planning & Development Review Department
One Texas Center
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via Hand Delivery

RE: **Development Assessment Application** (the "Application") for the Proposed Grove at Shoal Creek Planned Unit Development (the "Project") for 75.74 acres located at the intersection of 45th Street and Bull Creek Road, Austin, Texas (the "Property")

Dear Mr. Guernsey:

This firm represents, and this letter is submitted on behalf of, Milestone Community Builders (the "Applicant") as the owner of the Property and the applicant in the above-referenced Application. The Property is 75.74 acres in size and is bounded by a block of single-family homes to the north along 45 Street, Shoal Creek and un-zoned state owned land to the east, single-family homes to the south and southeast, and Bull Creek Road to the west and southwest. The Property was previously owned by the Texas Department of Transportation. The Applicant acquired the Property after a public bidding process. The Applicant is hereby requesting a project assessment report as provided in Section 1.3.1 of Article 2, Division 5, Subpart A of Chapter 25-2 of the City Code (the "PUD Code Provisions").

1. **Property Characteristics**

Because the Property was previously owned by the State of Texas, it is currently identified as "UNZ - Un-zoned" on the City of Austin (the "City") Zoning Map. The prior ownership of the Property by the State of Texas has further meant that the Property has historically had no City oversight. Since the Property is un-zoned, the Applicant requests that you recommend a "baseline" for the Property as provided in Section 1.3.3 of the PUD Code Provisions. In preliminary discussions with the City concerning the appropriate baseline, our understanding is that you consider a combination of SF-6 along adjacent neighborhoods, MF-2 in the interior of the site, and MF-4, LO-MU and LR-MU along Bull Creek Road and other interior portions of the site, to be an appropriate baseline for the Property.

The zoning and development in the area reflects a mixture of uses. The property to the north of the Property is zoned "SF-2 – Single Family Residence Standard Lot". The property to the east is un-zoned, but is developed with an industrial warehouse facility for the State of Texas archives. The property to the southeast and southwest is zoned "SF-3 – Family Residence". The property to the west across Bull Creek Road is zoned "LO – Limited Office", "GO-MU-CO – General Office, Mixed Use and Conditional Overlay", "MF-4 – Multifamily Moderate – High Density" and "MF-6-CO – Multifamily Residence Highest Density and Conditional Overlay" and is developed with dense apartment residential development, assisted living and medical offices. As with all areas of the urban core, there is significant existing traffic congestion and the intersection of 45th Street and Bull Creek Road currently operates at a level-of-service with a low D designation.

The northern and eastern portions of the Property itself are generally vacant and undeveloped, while the southern and western portions of the Property contain existing state owned office buildings and parking facilities. The currently developed portions of the Property lack any drainage or water quality improvements.

The Property is very unique in that it represents one of the few larger tracts within the urban core available for development and re-development. The Property is located in close proximity to Mopac Expressway and the proposed Lone Star Commuter Rail 35th Street Station location. The Property is also located along Imagine Austin's proposed Shoal Creek Urban Trail (as also proposed in the Urban Trail Master Plan and the City's Bicycle Plan) and a current CapMetro bus line which provide transit service to the employment centers of Seton Medical Center, the University of Texas and downtown Austin. The Property's large size and shape provide large internal areas that can be developed more intensely without adversely impacting adjacent single-family residences.

Finally, existing area residents have generally indicated a strong preference to have higher density development coupled with a substantial portion of the Property used for publicly accessible park space. Specifically, the Applicant has conducted three (3) large-scale community wide meetings, numerous other meetings with the Bull Creek Road Coalition and adjacent single-family residents along 45th Street and in the Oakmont and Ridgelea neighborhoods, has created a website and email list posting detailed information about the Project, and posted hundreds of signs in the area indicating how neighbors could learn more about the project. The Applicant has conducted a community survey and sought feedback at every instance. The survey results indicate that approximately 65% of the area's residents indicated a preference to have higher density development coupled with a substantial portion of the Property used for publicly accessible park space. This consensus has been reinforced in comments we have received at our numerous meetings.

All of these factors make the Project a unique opportunity, especially suited for mixed-use, higher density and clustered development. As a result, the Applicant is strongly considering filing a zoning application with the City to zone the Property as a "PUD – Planned Unit

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Development". However, the Applicant is also considering conventional zoning for some or all of the Property given concerns about the time and complexity that may be involved in PUD zoning.

2. Superiority of the Grove at Shoal Creek Planned Unit Development

The proposed Grove at Shoal Creek Planned Unit Development will achieve the goals established in the PUD Code Provisions of (1) "preserving the natural environment" by establishing substantial open and park space and preserving large groves of existing heritage and protected trees and avoiding any modifications to the 100 year floodplain of Shoal Creek, (2) "encouraging high quality development and innovative design" by utilizing mixed use and urban design principles that will allow clustering of uses in higher densities that promote urban living, working and shopping on the site and encourage use of alternative transportation options, and (3) "ensures adequate public facilities and services" by providing a large on-site, publicly accessible signature park space, plazas and other open spaces with public amenities, hike and bike trails along Bull Creek Road and Shoal Creek, and roadway intersection, access and water system improvements that are projected to improve public services in the area.

With respect to traffic in particular, the Applicant has prepared a TIA which will recommend intersection improvements that will improve traffic operations. The intersection improvements at Bull Creek and 45th will be funded at 100% of the Applicant's cost even though the Applicant's pro rata share would be much less. The TIA is included with the Application and the Applicant request that the City commence its review of same.

As a result of these and other enhancements, the Project will result in development that is superior than would occur under conventional zoning. This superiority is more particularly set forth in *Attachment 1 – Tier 1 and Tier 2 Compliance Summary* attached to this letter.

3. Proposed Conceptual Land Use Plan

The proposed Grove at Shoal Creek Planned Unit Development will allow for the establishment of a mixed-use project that incorporates sound urban design planning, density and aesthetic components. Specifically, the proposed Planned Unit Development proposes five (5) zoning areas generally described as follows:

1. Tract A – generally characterized with moderate intensity residential uses;
2. Tract B –generally characterized with commercial, office, retail and high intensity residential mixed uses;
3. Tract C –generally characterized with moderate intensity residential and civic uses;
4. Tract D – generally characterized with office and moderate intensity residential mixed uses; and
5. Tract E –generally characterized with moderate intensity residential uses.

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The zoning areas are identified in the Conceptual Land Use Plan ("Land Plan") submitted with the Application. In addition to the zoning areas, the Land Plan identifies approximately 12.00 acres as a *minimum* amount of open space or approximately 15.84% of the Property. This *minimum* amount of open space is being established for the purpose of determining compliance with Tier 1 and Tier 2 requirements. The Applicant actually intends that the Project will provide substantially more open space than the minimum 12 acres. This additional open space, which the Applicant may sometimes also refer to as "Park Space", will be publicly accessible and offer excellent recreational and natural areas throughout the Project. In total, although not entirely shown on the Land Use Plan, the Applicant anticipates at least 16 acres of open space/ Park Space throughout the project. Such a significant amount of urban open space is unusual for an urban core site and far exceeds the minimum Planned Unit Development requirements in the City Code. The quantity of the open space is matched by its quality. The proposed open space will serve to preserve the large groves of high quality heritage and protected trees on the site, preserve and enhance downtown Austin views, maximize connectivity through the site and with Shoal Creek, and provide recreational opportunities for future residents of the Property, existing residents in the surrounding areas and the City as a whole.

4. Proposed Permitted Uses and Site Development Regulations

The Applicant proposes uses of the Property that are both compatible with existing and adjacent uses and will support a mixture of uses appropriate for such an urban core setting. The specific uses that the Applicant proposes be permitted are set forth in *Attachment 2 – Permitted Use Table* attached to this letter. In addition, the Applicant proposes site development regulations on the Property that also compatible with the surrounding area and will support the higher density, clustered urban development that justifies the large amount of open space on the Property. The specific site development regulations that the Applicant proposes apply to the Property are set forth in *Attachment 3 – Site Development Regulations Table* attached to this letter.

5. Proposed City Code Modifications

In order to develop the Project with the flexibility, predictability and the integrated urban design characteristics envisioned for the Property, the Applicant is requesting certain modifications to the City Code. The City Code modifications that the Applicant proposes for the Project are set forth in *Attachment 4 – Proposed Code Modifications Summary* attached to this letter.

6. Conclusion

The proposed Grove at Shoal Creek Planned Unit Development meets with all the requirements contained in PUD Code Provisions. The Project will "preserve the natural environment", "encourage high quality development and innovative design" and "ensure

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adequate public facilities and services". The Grove at Shoal Creek Planned Unit Development will result in development that is superior to the development that would occur under conventional zoning.

On behalf of the Applicant, we look forward to receiving the timely project assessment report from the City. If you have any questions or comments, please do not hesitate to contact me. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Howard", written over the word "Sincerely,".

Jeffrey S. Howard

cc: Garrett Martin, *Milestone Community Builders*
Ron Thrower, *Thrower Design*
Robert Deegan, *Norris Design*
Brian Williams, *Brown & Gay Engineers*
Carl Hehmsoth, *Bull Creek Road Coalition*

ATTACHMENT 1
Tier 1 and Tier 2 Compliance Summary

Tier 1 Requirements – Section 2.3.1	Compliance/ Superiority
<p>A. meet the objectives of the City Code;</p>	<p>YES. The Project is located in the urban core and within an Urban watershed. The Project is located near Mopac Expressway and is located along the proposed Shoal Creek Urban Trail and an existing CapMetro bus route. The Project will promote the Imagine Austin priority of creating a “compact and connected” City increasing population density within the urban core. The Project is compatible with surrounding uses and zoning which is consistent with the general neighborhood preferences. Except as set forth in the Proposed Code Modifications Summary, the Project will comply with the current City Code requirements.</p>
<p>B. provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 (<i>General Intent</i>) than development under the regulations in the Land Development Code;</p>	<p>YES. The Project will meet the goals of Section 1.1 as follows:</p> <ol style="list-style-type: none"> 1. <u>Preserve Natural Environment.</u> The Project will preserve all of the high quality heritage trees on the Property, and remove only a handful lower quality “heritage” pecan trees. The Project will provide for greater open space than required by the City Code. The Project will provide innovative water quality controls and will provide water quality controls and drainage improvements for the entire site. The current state office development does not comply with current water quality requirements and has no water quality or drainage improvements currently located on the Property. 2. <u>High Quality Development and Innovative Design.</u> The Project will utilize mixed use and urban design principles that will allow clustering of uses in higher densities that promote urban living, working and shopping on the site and encourage use of alternative transportation options. The Project will integrate

	<p>pedestrian and bicycle connectivity throughout the Property. The Project will be designed to make use of scenic views from public spaces. Parking structures will be used in connection with office and apartment uses. Higher development intensity will be focused along Bull Creek Road and the interior of the Property and lower development intensity will be located near existing single family residences.</p> <p>3. <u>Adequate Public Facilities and Services.</u> The Project will provide (i) a large on-site, publicly accessible signature park space with park improvements and amenities open to the public providing recreation and natural open space to the whole City; (ii) plazas and other open and community spaces with public amenities that will provide opportunities for people to gather and socialize;; (iii) hike and bike trails along Bull Creek Road and Shoal Creek and improvements to enhance transit use so that area residents will have greater transportation options; (iv) roadway intersection improvements through the use of turn lanes and signalization funded 100% by the Applicant, (v) shared access improvements to provide existing 45th Street homes with safe, alternative access, and (vi) water system improvements that will improve water pressure (especially for fire flow purposes) to the area.</p>
<p>C. provide a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts, and 20 percent of the nonresidential tracts within the PUD, except that:</p> <ol style="list-style-type: none"> 1. a detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity; and 2. the required percentage of open space may be reduced for urban property with characteristics that 	<p>YES. Even though the Project is an "urban property", the Project will <i>exceed</i> these requirements by providing at least 12.00 acres of open space as shown on the Land Use Plan, which is approximately 50% more than required by the Tier 1 requirement. This <i>minimum</i> amount of open space is being established for the purpose of determining compliance with Tier 1 and Tier 2 requirements. The Applicant actually intends that the Project will provide substantially more open space than the minimum 12 acres. This additional open space, which the Applicant may sometimes also refer to as "Park Space", will be publicly</p>

make open space infeasible if other community benefits are provided;	accessible and offer excellent recreational and natural areas throughout the Project. In total, although not entirely shown on the Land Use Plan, the Applicant anticipates at least 16 acres of open space/ Park Space throughout the project.
D. comply with the City's Planned Unit Development Green Building Program;	YES. The Project will comply with at least a 2-star Green Building requirement.
E. be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations, and compatible with adjacent property and land uses;	YES. There is no applicable neighborhood plan, NCCD or historic area or landmark regulations applicable to the site. However, as stated above, the largely residential Project will be compatible with area land uses and zoning districts and is consistent with the principles and priorities of Imagine Austin. In addition, the Applicant believes the Project is consistent with neighborhood preferences established in surveys conducted by the Applicant and with the Bull Creek Road Coalition's Design Principles.
F. provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography, and the natural and traditional character of the land;	YES. The Project will preserve all of the high quality heritage trees on the Property, and remove only a handful lower quality "heritage" pecan trees. The Project will provide for greater open space than required by the City Code. The Project will provide innovative water quality controls and will provide water quality controls and drainage improvements for the entire site. The current state office development does not comply with current water quality requirements and has no water quality or drainage improvements currently located on the Property. The Project will not propose any flood plain modifications and there are no CEFs located on the Property. The Project will incorporate the natural features, topography and character of the land in its overall design.
G. provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities;	YES. As stated above, the Project will provide (i) a large on-site, publicly accessible signature park space with park improvements and amenities open to the public providing recreation and natural open space to the whole City; (ii) plazas and other open and community spaces with public amenities that will provide

	<p>opportunities for people to gather and socialize; (iii) hike and bike trails along Bull Creek Road and Shoal Creek and improvements to enhance transit use so that area residents will have greater transportation options; (iv) roadway intersection improvements through the use of turn lanes and signalization funded 100% by the Applicant, (v) shared access improvements to provide existing 45th Street homes with safe, alternative access, and (vi) water system improvements that will improve water pressure (especially for fire flow purposes) to the area. In addition, there are currently existing adequate school, fire protection, emergency service, and police facilities located in the area. Bryker Woods School for example is populated by approximately 50% of transfer students and, therefore, has sufficient capacity to meet the needs of the Project.</p>
H. exceed the minimum landscaping requirements of the City Code;	<p>YES. The Project will exceed the minimum Code requirements for landscaping. The Project will comply with the City's Grow Green Program and implement an Integrated Pest Management Plan.</p>
I. provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails, and roadways;	<p>YES. There is currently a CapMetro bus route located on Bull Creek Road adjacent to the Property that provide transit to major employment centers like the Seton Medical Center, the University of Texas and downtown. The Applicant is in discussions with CapMetro about how to provide enhancements to this transit stop to facilitate increased ridership. In addition, the Project will provide greater pedestrian and bicycle trails and sidewalks along Bull Creek Road, within the Property and along Shoal Creek. A TIA has been performed and will be updated in consultation with staff to ensure that impacts on area intersections from the Project are properly mitigated with turn lane and signal improvements.</p>
J. prohibit gated roadways;	<p>YES. The Project will prohibit gated communities.</p>
K. protect, enhance and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance; and	<p>NOT APPLICABLE. There are no such areas within the Property. However, the Applicant is willing to memorialize the prior use of the site for the education of disabled African</p>

	Americans in public spaces located within the Project.
L. include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	YES. The Property is approximately 75.74 acres.
Additional Requirements – Section 2.3.2	
A. comply with Chapter 25-2, Subchapter E (<i>Design Standards And Mixed Use</i>);	Compliance/ Superiority MODIFICATIONS REQUESTED. As permitted by Section 2.2 of PUD Code Provisions, the Applicant will be proposing modifications to the Subchapter E standards that will replace and supersede Subchapter E. The Project Design Guidelines that will be developed by the Applicant will meet the intent and purposes of Subchapter E, while making compliance simpler and easier to implement.
B. inside the urban roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (<i>Design Standards and Mixed Use</i>), comply with the sidewalk standards in Section 2.2.2., Subchapter E, Chapter 25-2 (<i>Core Transit Corridors: Sidewalks And Building Placement</i>); and	MODIFICATIONS REQUESTED. As permitted by Section 2.2 of PUD Code Provisions, the Applicant will be proposing modifications to the Subchapter E sidewalk and building placement standards that will replace and supersede Subchapter E. The Project Design Guidelines that will be developed by the Applicant will meet the intent and purposes of Subchapter E, while making compliance simpler and easier to implement.
C. contain pedestrian-oriented uses as defined in Section 25-2-691(C) (<i>Waterfront Overlay District Uses</i>) on the first floor of a multi-story commercial or mixed use building.	YES. The Project will contain pedestrian-oriented uses on the first floor of multi-story commercial or mixed use buildings located along roadways with pedestrian walkways. The size of the Project is such that some interior buildings that are not located on significant pedestrian walkways do not have such uses.
Tier 2 Requirements – Section 2.4	
A. <u>Open Space</u> – Provides open space at least 10% above the requirements of Section 2.3.1.A. (<i>Minimum Requirements</i>). Alternatively, within the urban roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 (<i>Design Standards and Mixed Use</i>), provide for proportional enhancements to existing or	Compliance/ Superiority YES. The Project will provide at least 12.00 acres of open space as shown on the Land Use Plan which is approximately 50% above the requirement in Section 2.3.1.A. This <i>minimum</i> amount of open space is being established for the purpose of determining compliance with Tier 1 and Tier 2 requirements. The Applicant actually intends that the Project will provide substantially more

<p>planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department.</p>	<p>open space than the minimum 12 acres. This additional open space, which the Applicant may sometimes also refer to as “Park Space”, will be publicly accessible and offer excellent recreational and natural areas throughout the Project. In total, although not entirely shown on the Land Use Plan, the Applicant anticipates at least 16 acres of open space/ Park Space throughout the project.</p>
<p>B. <u>Environment/Drainage</u> –</p> <ol style="list-style-type: none"> 1. Complies with current code instead of asserting entitlement to follow older code provisions by application of law or agreement. 2. Provides water quality controls superior to those otherwise required by code. 3. Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by code. 4. Provides water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size. 5. Reduces impervious cover by five percent below the maximum otherwise allowed by code or includes off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code. 6. Provides minimum 50-foot setback for at least 50 percent of all unclassified waterways with a drainage area of 32 acres. 7. Provides volumetric flood detention as described in the Drainage Criteria Manual. 8. Provides drainage upgrades to off-site drainage infrastructure that does not meet current criteria in 	<p>YES. The Project will provide innovative water quality controls and will provide water quality controls and drainage improvements for the entire site. The current state office development does not comply with current water quality requirements and has no water quality or drainage improvements currently located on the Property. The Project will provide water quality controls through the use of a wet pond, rain gardens and bio-filtration that will be superior to that required by City Code and will constitute green water quality controls to treat at least 50 percent of the volume required by City Code. The Project will not modify the existing 100-year flood plain.</p> <p>In addition, the Project will preserve all of the high quality heritage trees on the Property, and remove only a handful of lower quality “heritage” pecan trees. The heritage pecan trees to be removed are of a variety that is not native to the area and structurally poor and of lower quality. The Applicant has met with the City Arborist to discuss removal of these small number of trees and the preservation of all of the high-quality heritage oak trees. The Project will preserve more than 75% of all native caliper inches and native protected trees.</p> <p>The Project will cluster development along Bull Creek Road and the interior of the Property and away from Shoal Creek and the large oak groves located on the Property where a large amount of open space will be provided instead.</p>

the Drainage or Environmental Criteria Manuals, such as storm drains and culverts that provide a public benefit.

9. Proposes no modifications to the existing 100-year floodplain.
10. Uses natural channel design techniques as described in the Drainage Criteria Manual.
11. Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas.
12. Removes existing impervious cover from the Critical Water Quality Zone.
13. Preserves all heritage trees; preserves 75% of the caliper inches associated with native protected size trees; and preserves 75% of all of the native caliper inches.
14. Tree plantings use Central Texas seed stock native and with adequate soil volume.
15. Provides at least a 50 percent increase in the minimum waterway and/or critical environmental feature setbacks required by code.
16. Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.
17. Provides porous pavement for at least 20 percent or more of all paved areas for non-pedestrian in non-aquifer recharge areas.
18. Provides porous pavement for at least 50 percent or more of all paved areas limited to pedestrian use.
19. Provides rainwater harvesting for landscape irrigation to serve not less than 50% of the landscaped areas.

20. Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area. 21. Employs other creative or innovative measures to provide environmental protection.	
C. <u>Austin Green Builder Program</u> – Provides a rating under the Austin Green Builder Program of three stars or above.	NO. While certain buildings and development within the Project may meet or exceed a 3-star rating, requiring such compliance for all such buildings and development is not feasible. YES AS MODIFIED. The Project will provide art in public spaces through development of a public art plan developed by the Applicant.
D. <u>Art</u> – Provides art approved by the Art in Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City's Art in Public Places Program or a successor program.	YES AS MODIFIED. The Project will provide private street cross sections that will meet the intent and purposes of the Great Streets Program through its Project Design Guidelines.
E. <u>Great Streets</u> – Complies with City's Great Streets Program, or a successor program. Applicable only to commercial, retail, or mixed-use development that is not subject to the requirements of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>).	YES. The Project will provide community and public amenities including spaces for community meetings, gatherings and other community needs, and publicly accessible multi-use trails and greenways along Shoal Creek.
F. <u>Community Amenities</u> – 1. Provides community or public amenities, which may include spaces for community meetings, community gardens or urban farms, day care facilities, non-profit organizations, or other uses that fulfill an identified community need. 2. Provides publicly accessible multi-use trail and greenway along creek or waterway.	YES. The Project will provide bicycle facilities, including bicycle storage and trails that will facilitate connection to existing and planned bike routes and trails and will provide other multi-modal transportation features not required by City Code by providing transit enhancements developed in consultation with CapMetro and the neighborhood.
G. <u>Transportation</u> – Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	NO. While certain buildings and development within the Project may exceed such minimum points, requiring such compliance for

<u>Chapter 25-2, Subchapter E (Design Standards and Mixed Use).</u>	all such buildings and development is not feasible. The intent and purpose of such building design will be met through the Project Design Guidelines.
I. <u>Parking Structure Frontage</u> – In a commercial or mixed-use development, at least 75 percent of the building frontage of all parking structures is designed for pedestrian-oriented uses as defined in Section 25-2-691(C) (<i>Waterfront Overlay District Uses</i>) in ground floor spaces.	NO. While certain buildings and development within the Project may meet such percentage, requiring such compliance for all such buildings and development is not feasible.
J. <u>Affordable Housing</u> – Provides for affordable housing or participation in programs to achieve affordable housing.	YES TO THE EXTENT REQUIRED FOR ANY “BONUS AREA”. The residential portions of the Project will comply with Section 2.5.2 of the PUD Code Provisions to the extent such residential uses exceed the baseline established under Section 1.3.3.
K. <u>Historic Preservation</u> – Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	NOT APPLICABLE. There are no such areas within the Property. However, the Applicant is willing to memorialize the prior use of the site for the education of disabled African Americans in public spaces located within the Project.
L. <u>Accessibility</u> – Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	YES. The Project will provide for accessibility for person with disabilities to a degree exceeding applicable legal requirements.
M. <u>Local Small Business</u> – Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.	YES. The Project will provide space at affordable rates to one or more such businesses.



Ba
901 South MoPac Expy | Ste 225
Austin, Texas 78746
phone 512.328.2008
fax 512.328.2409
www.mcleanhowardlaw.com

May 13, 2015

Mr. Greg Guernsey, Director
City of Austin
Planning & Zoning Department
One Texas Center
505 Barton Springs Road, 5th Floor
Austin, Texas 78704

Via e-mail

RE: **Development Assessment Application** (the "Application") for the Proposed The Grove at Shoal Creek Planned Unit Development (the "Project") for 75.74 acres located at the intersection of 45th Street and Bull Creek Road, Austin, Texas (the "Property"); **CD-2015-0009**

Dear Mr. Guernsey:

This firm represents, and this letter is submitted on behalf of, Milestone Community Builders (the "Applicant") as the owner of the Property and the applicant in the above-referenced Application. This letter is in partial response to the Master Review Report for the Project, which was issued by the City of Austin (the "City") on May 8, 2015 (even though the "Final Report Date" is listed as April 28, 2015). The Applicant notes that the Master Review Report contains many comments (many more than were provided in comparable submittals like the Austin Oaks PUD). For example, there are five (5) pages of Transportation Comments alone (whereas there were only two (2) pages of such comments for the Austin Oaks PUD). Many of the comments are not applicable to review of a Planned Unit Development Land Use Plan. Having said that, there are also many comments that the Applicant finds helpful to the overall consideration of the Project, and we look forward to working with staff on this excellent Project. We will respond to these comments in greater detail if the Applicant elects to pursue Planned Unit Development zoning for the Project.

One comment, however, that must be resolved immediately is Comment "ZN 1" regarding the "baseline" zoning district. Section 1.3.3 of the Planned Unit Development requirements in the Chapter 25-2 of the Code, requires the determination of the "baseline" *by the City*. As you recall, the Applicant had previously met with City zoning staff to propose a specific baseline. After that meeting, City staff had preliminarily established a baseline consisting of a combination of SF-6 along adjacent neighborhoods, MF-2 in the interior of the site, and MF-4, LO-MU and LR-MU along Bull Creek Road and other interior portions of the site. Because we expected the City to adhere to its preliminary determination, we did not re-assert our proposed baseline zoning in the Application itself.

However, since the Master Review Report has not determined a baseline as required in the Code, and has instead requested in Comment ZN 1 that we re-state our proposed baseline even though the City is aware of what that proposed baseline is, please be advised that the Applicant proposes the following baseline zoning:

1. SF-6 adjacent to existing single family areas. Staff supported this proposal.
2. MF-6 along Shoal Creek across from the existing state owned land improved with an industrial warehouse facility. Staff supported an MF-4 district for this area.
3. GR-MU along the northern portion of Bull Creek Road for 31.78 acres. Staff supported LR-MU for 25 acres and MF-2 for 6.78 acres.
4. LO-MU along the southern portion of Bull Creek Road. Staff supported this proposal.

The proposed baseline is more particularly set forth on the map enclosed herewith. As we have discussed, in establishing the baseline for this "un-zoned" property, the City applies its planning principles to determine what conventional zoning would be appropriate for the site given the principles in Imagine Austin, the current use of the Property, and surrounding uses and zoning districts.

Because the Property was previously owned by the State of Texas, it is currently identified as "UNZ - Un-zoned" on the City Zoning Map. The prior ownership of the Property by the State of Texas has further meant that the Property has historically had no City oversight. The zoning and development in the area reflects a mixture of uses. The property to the north of the Property is zoned "SF-2 - Single Family Residence Standard Lot". The property to the east is un-zoned, but is developed with an industrial warehouse facility for the State of Texas archives. The property to the southeast and southwest is zoned "SF-3 - Family Residence". The property to the west across Bull Creek Road is zoned "LO - Limited Office", "GO-MU-CO - General Office, Mixed Use and Conditional Overlay", "MF-4 - Multifamily Moderate - High Density" and "MF-6-CO - Multifamily Residence Highest Density and Conditional Overlay" and is developed with dense apartment residential development, assisted living and medical offices.

The northern and eastern portions of the Property itself are generally vacant and undeveloped, while the southern and western portions of the Property contain existing state owned office buildings and parking facilities. The Property is very unique in that it represents one of the few larger tracts within the urban core available for development and re-development. The Property is located in close proximity to Mopac Expressway and the proposed Lone Star Commuter Rail 35th Street Station location. The Property is also located along Imagine Austin's proposed Shoal Creek Urban Trail (as also proposed in the Urban Trail Master Plan and the City's Bicycle Plan) and a current CapMetro bus line which provide transit service to the employment centers of Seton Medical Center, the University of Texas and downtown Austin. The Property's large size and shape provide large internal areas that can be developed more intensely without adversely impacting adjacent single-family residences.

Mr. Greg Guernsey, Director
City of Austin
May 13, 2015
Page 3

All of these factors support the Applicant's proposed baseline as we have already discussed and as the City staff has already considered. Because the baseline determination is a fundamental and essential determination in this process, and because there have already been numerous discussions on this topic, we were surprised by Comment ZN 1. Given the proposed baseline requested by the Applicant above, we request that you immediately propose a baseline and update the Master Review Report as soon as possible, but no later than Friday May 15, 2015, so that the Council briefing can timely occur.

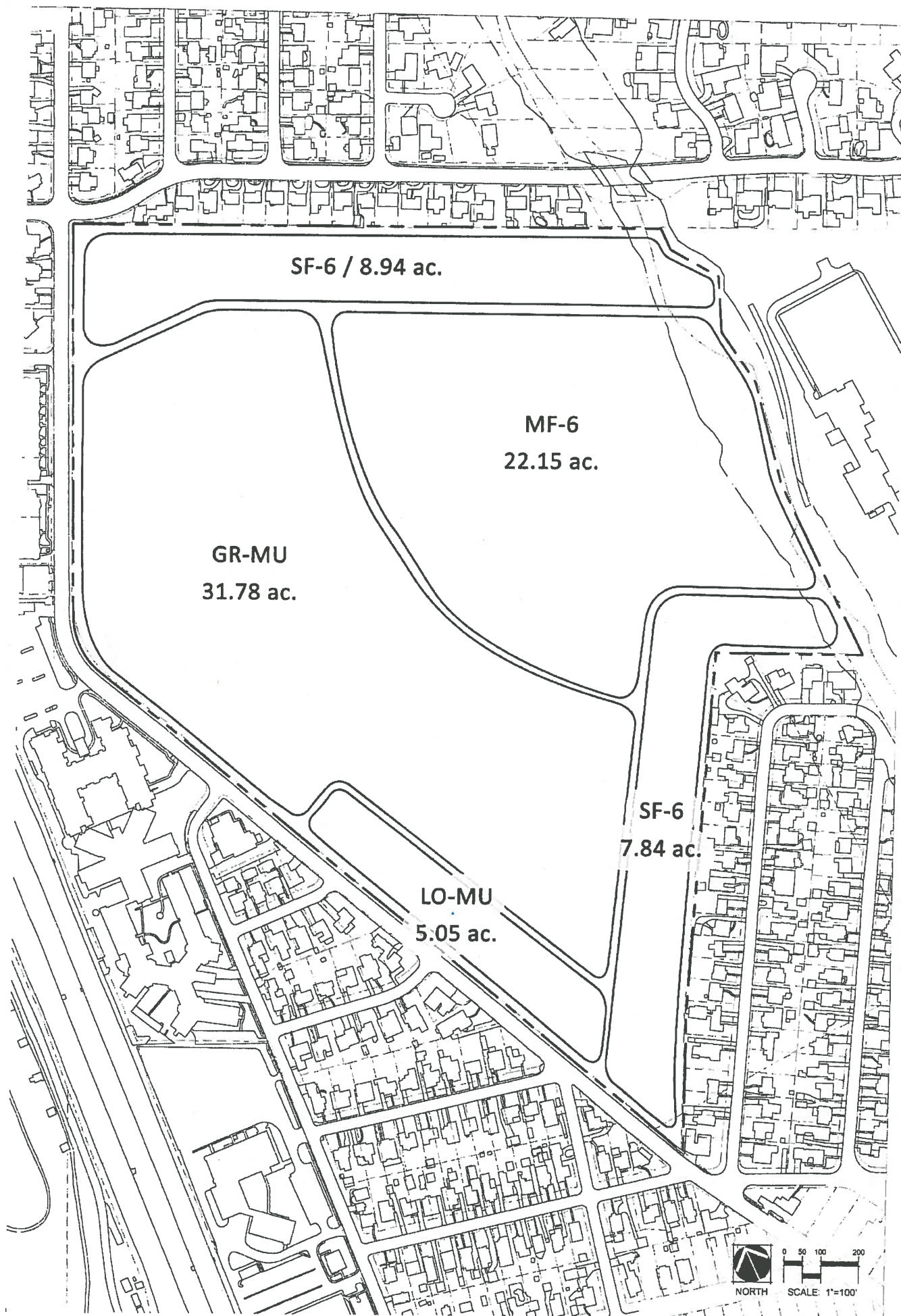
On behalf of the Applicant, we look forward to receiving the updated project assessment report from the City with the proposed baseline as soon as possible. If you have any questions or comments, please do not hesitate to contact me. Thank you for your attention to this matter.

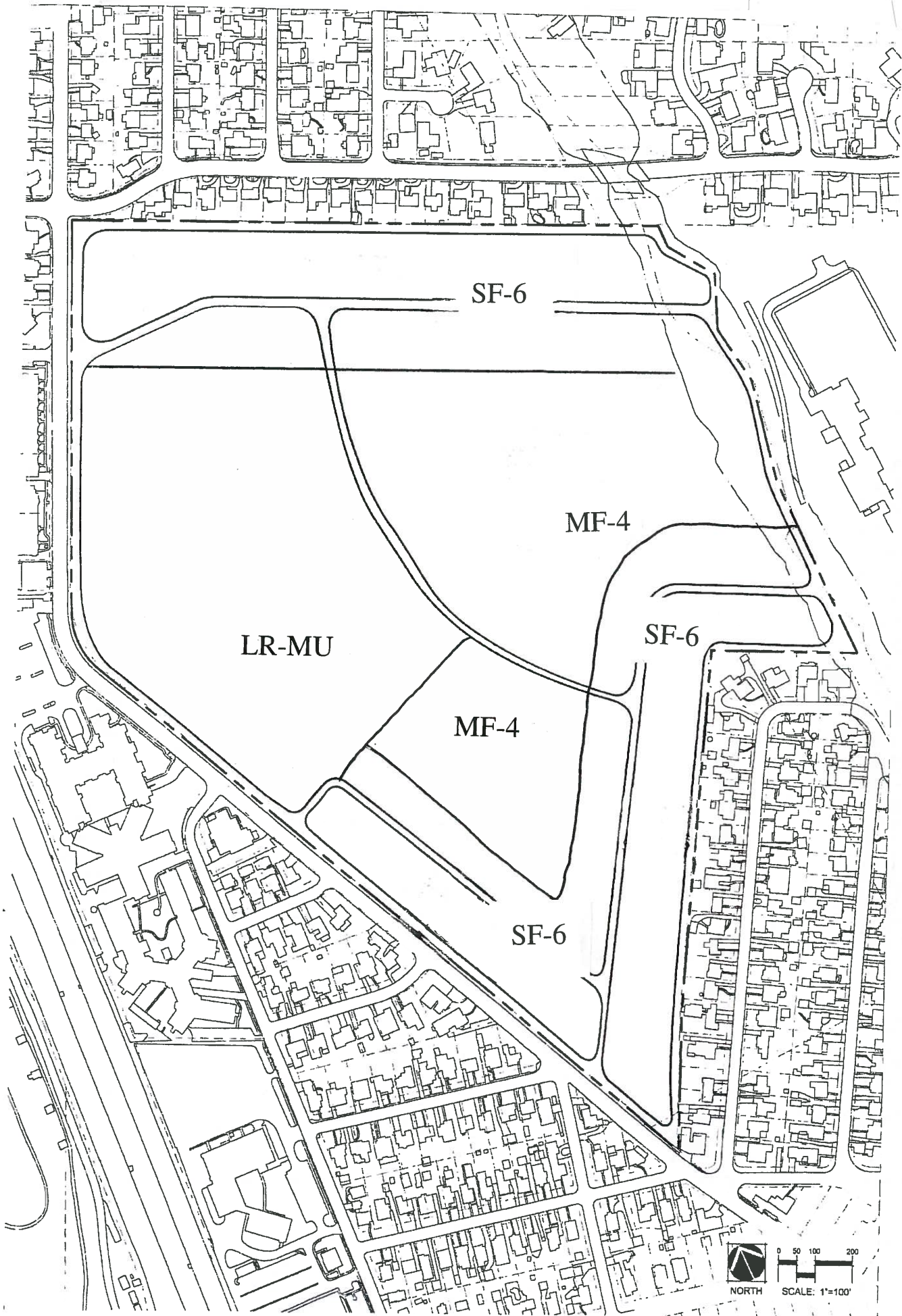
Sincerely,

A handwritten signature in blue ink, appearing to read "Jeff Howard", with a stylized flourish at the end.

Jeffrey S. Howard

cc: Garrett Martin, *Milestone Community Builders*
Ron Thrower, *Thrower Design*
Robert Deegan, *Norris Design*
Jerry Rusthoven
Sherri Sirwaitis





ATTACHMENT 4

Proposed Code Modifications

1. <i>Site Development Regulations, 25-2-492</i>	The Applicant proposes that the site development regulations applicable to the Property be as shown on the Land Use Plan and <i>Attachment 3 – Site Development Regulations Table</i>
2. <i>Site Development Regulations, 25-2-492 and Height, 25-1-21(47)</i>	The Applicant proposes that the Code be modified to provide that a parking level is not considered a “story”.
3. <i>Compatibility Standards, 25-2-1063(B)</i>	As to Tract A only, the Applicant proposes that the Code be modified to allow a zero foot setback to install an alley or public road and sidewalks.
4. <i>Compatibility Standards, 25-2-1063(C)(2)</i>	Subject to the Site Development Regulations applicable to the Project, the Applicant proposes that the Code be modified to allow for a height greater up to 75 feet and 5 stories measured from 300 feet from an existing SF-5 or more restrictive zoning district or an existing use allowed in a SF-5 or more restrictive zoning district.
5. <i>Compatibility Standards, 25-2-1064</i>	Subject to the Site Development Regulations applicable to the Project, the Applicant proposes that the Code be modified to provide for a zero foot front setback along Bull Creek Road.
6. <i>Compatibility Standards, 25-2-1063(C)(2)</i>	Subject to the Site Development Regulations applicable to the Project, the Applicant proposes that the Code be modified to allow for a height greater than 40 feet or 3 stories measured from 50 to 100 feet from an existing SF-5 or more restrictive zoning district or an existing use allowed in a SF-5 or more restrictive zoning district.
7. <i>Restaurant (Limited), 25-2-809(B)</i>	The Applicant proposes that the Code be modified to allow an outdoor seating area greater than 50% of the indoor seating area.
8. <i>Alleys, 25-4-132</i>	The Applicant proposes that the Code be modified to provide that alleys can be used as off-street loading and unloading provided the alley is not a required fire lane.
9. <i>Secondary Street Access, 25-4-171</i>	The Applicant proposes that the Code be

	modified to waive this requirement.
10. <i>Lots on Private Streets, 25-4-171</i>	The Applicant proposes that the Code be modified for lots to front on private streets.
11. <i>Site Plan Expiration, 25-5-81 and Preliminary Plan Expiration, 25-4-62</i>	The Applicant proposes that the Code be modified to provide that site plans, preliminary plans and other site development related permits expire 10 years after approval.
12. <i>Street Design, 25-6-171(A)</i>	The Applicant proposes that the Code be modified to allow for streets to be designed with Private Street Standards per the Applicant's proposed street design.
13. <i>Commercial Design Standards, Subchapter E, Chapter 25-2</i>	The Applicant proposes that the Code be modified to replace the City 's Subchapter E Standards with the Applicant's Project Design Guidelines.
14. <i>Parkland Requirements, Article 14, Chapter 25-1 and 25-4-211</i>	The Applicant proposes that the Code be modified to waive parkland requirements in light of the superior open space and park space provided as part of the Project.
15. <i>Heritage Trees, 25-8-641</i>	The Applicant proposes that the Code be modified to allow the removal of certain lower quality heritage pecan trees identified by the Applicant in consultation with the City arborist.
16. <i>Public Street Alignment, 25-4-151</i>	The Applicant proposes that the Code be modified to allow extension of a public street within a site as a private street.
17. <i>Impervious Cover Measurement, 25-1-23</i>	The Applicant proposes that the Code be modified to allow that impervious cover on a given site within a particular Tract may exceed the amount provided in the Site Development Regulations Table as long as the total amount of impervious cover allowed on the Tract on an overall basis is not exceeded.
18. <i>Open Space, 2.3.1(C) of the Planned Unit Development Standards</i>	The Applicant proposes that the Code be modified to define the term "open space" to mean (i) all areas described in 25-8-1(12) and (ii) any and all public plazas, greenbelts, publicly accessible outdoor recreation areas, and water quality, drainage, detention and filtration areas designed and maintained as an amenity.

ATTACHMENT 2

PERMITTED USE TABLE

TRACTS A & E
Bed & Breakfast (Group 1)
Bed & Breakfast (Group 2)
Condominium Residential
Duplex Residential
Retirement Housing (Small Site)
Single-Family Attached Residential
Single-Family Residential
Small Lot Single-Family Residential
Townhouse Residential
Two-Family Residential
Short-Term Rental
Public Primary Education Facilities
Public Secondary Education Facilities
Religious Assembly

TRACT C
All permitted uses for Tracts A & E
Multifamily Residential
Congregate Living
Community Garden
Urban Farm

OPEN SPACE
Park (Private Ownership, Privately - Maintained, Publicly Accessible)
Drainage, Detention & Water Quality Facilities

TRACT D
All permitted uses for Tract C
Administrative & Business Offices*
Art Gallery
Art Workshop
Financial Services
Medical Offices (all sizes)*
Off-site Accessory Parking
Personal Services
Pet Services
Professional Office*
Software Development
Community Garden
Urban Farm
Counseling Services
Cultural Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Private Primary Education Facilities
Private Secondary Education Facilities

TRACT B
All permitted uses for Tract D
Automotive Rentals
Automotive Sales
Automotive Washing (of any type)
Business or Trade School
Business Support Services
Cocktail Lounge
Commercial Off-Street Parking
Consumer Convenience Services
Consumer Repair Services
Exterminating Services
Food Sales
General Retail Sales (Convenience)
General Retail Sales (General)
Hotel-Motel
Indoor Entertainment
Indoor Sports & Recreation
Liquor Sales
Off-Site Accessory Parking
Outdoor Sports & Recreation
Personal Improvement Services
Printing & Publishing
Research Services
Restaurant (General)
Restaurant (Limited)
Theater
College & University Facilities
Community Recreation (Private)
Community Recreation (Public)
Hospital Services (Limited)
Safety Services

ATTACHMENT 3

SITE DEVELOPMENT REGULATIONS

	<u>TRACT A</u>	<u>TRACT B</u>	<u>TRACT C</u>	<u>TRACT D</u>	<u>TRACT E</u>
Minimum Lot Size in s.f.	3,000	3,000	3,000	3,000	3,000
Minimum Lot Width	30'	30'	30'	30'	30'
Maximum Dwelling Units per acre	25	75	25	40	25
Maximum Height	45'	75'	45'	50'	35'
Minimum Setbacks from Public Streets					
Front Yard	10'	0'	10'	0'	10'
Street Side Yard	10'	0'	10'	0'	10'
Minimum Interior Yard Setbacks					
Interior Side Yard	0'	0'	0'	0'	0'
Rear Yard	0'	0'	0'	0'	0'
Maximum Building Coverage	50%	70%	50%	65%	50%
Maximum Impervious Cover	70%	80%	70%	75%	70%
Maximum Floor Area Ratio	0.75:1	-	0.75:1	1:1	0.75:1

MASTER REVIEW REPORT

CASE NUMBER: CD-2015-0009

CASE MANAGER: Sherri Sirwaitis

PHONE #: 512-974-3057

PROJECT NAME: The Grove at Shoal Creek

SUBMITTAL DATE: April 6, 2015

REPORT DUE DATE: April 27, 2015

FINAL REPORT DATE: April 28, 2015

REPORT LATE: 10 DAYS

LOCATION: 4205 Bull Creek Road

DISTRICT: 10

STAFF REVIEW:

This report includes all comments received to date concerning your Development Assessment application.

IF YOU HAVE ANY FURTHER QUESTIONS CONCERNING THE COMMENTS LISTED BELOW PLEASE CONTACT YOUR CASE MANAGER.

THE FOLLOWING COMMENTS SHOULD BE ADDRESSED PRIOR TO SUBMITTING A FORMAL PLAN TO THE DEPARTMENT OF PLANNING AND ZONING. IT IS THE RESPONSIBILITY OF THE APPLICANT OR HIS/HER AGENT TO MODIFY THE PROPOSED PLANNED UNIT DEVELOPMENT (PUD) PLAN SO THAT IT COMPLIES WITH THESE REQUIREMENTS.

INCORPORATED IN THE NUMBERING OF EACH COMMENT IS THE RELEVANT REVIEW SECTION. FOR THESE REFERENCES, THE FOLLOWING ABBREVIATIONS APPLY

SP - SITE PLAN	CM - CAPITAL METRO
SR - SUBDIVISION	CO - COUNTY
TR - TRANSPORTATION	MD - MUD REVIEW
CN - CONSTRUCTION	PH - PHONE COMPANY
DR - DRAINAGE	PK - PARK
EG - ENGINEERING	PO - POST OFFICE
LR - LANDSCAPE REVIEW	PW - PUBLIC WORKS
AR - ARBORIST	SD - SCHOOL DISTRICT
EV - ENVIRONMENTAL	HE - HEALTH DEPARTMENT
WW - WATER AND WASTEWATER	EL - ELECTRIC
FI - FIRE DEPARTMENT	AD - TPSD - ADDRESS
HD - HIGHWAY DEPARTMENT	DG - DRAFTING

REQUIREMENTS: Based on ordinances and written rules adopted by the City of Austin, Texas.

Austin Energy – Liana Kalikova - 512-482-5406

With regard to the Green Building requirements for the Grove at Shoal Creek PUD, Austin Energy does not have any concerns. The goals are reasonable and achievable within the broader context of their efforts. I would strongly advise that the applicant to contact AE Green Building at the earliest to discuss schematic plans, understand the applicable ratings and process, and identify strategies.

Comprehensive Planning - Kathleen Fox - 512-974-7877

4205 Bull Creek Road
The Grove at Shoal Creek
CD-2015-0009
April 13, 2015
Unzoned to PUD (SF-6, MF-2, MF-4, LO-MU and LR-MU)

This project is located on a 75.74 acre site, which was formerly owned by the State of Texas. The property is surrounded by single family housing to the north and south, apartments and a senior living center to the west, and single family housing and state property to east. The site is also located in the Rosedale Neighborhood Planning area, which does not have an adopted neighborhood plan. The conceptual plan for this property calls for mixed use project, including over 500 apartment units, nearly 300 units of single family housing, a 400 bed congregate care facility, a 100 room hotel, 350,000 sq. ft. of office uses, 115,000 sq. ft. of retail including a grocery store, and 16 acres of park/open space. Some of the buildings would be as tall as 70 ft.

Imagine Austin Analysis and Conclusions

The overall goal of the Imagine Austin Comprehensive Plan (IACP) is to achieve ‘complete communities’ across Austin, where housing, services, retail, jobs, entertainment, health care, schools, parks, and other daily needs are within a convenient walk or bicycle ride of one another. Page 107 of the IACP states, *“While most new development will be absorbed by centers and corridors, development will happen in other areas within the city limits to serve neighborhood needs and create complete communities. Infill development can occur as redevelopment of obsolete office, retail, or residential sites or as new development on vacant land within largely developed areas. New commercial, office, larger apartments, and institutional uses such as schools and churches, may also be located in areas outside of centers and corridors. The design of new development should be sensitive to and complement its context. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city. It should also be connected by sidewalks, bicycle lanes, and transit to the surrounding area and the rest of the city.”*

Growing as a ‘compact and connected city’ to create ‘complete communities’ is the basis of the Imagine Austin vision statement and the hundreds of policies and actions developed throughout the plan provided by the input of thousands of community members. *Growing as a compact and connected city, “... enhances human connections, innovation, and urban vibrancy. Creating a more compact and efficient city is critical to our ability to connect people to homes, jobs, schools, and other destinations with a more complete transportation system that is affordable to build, operate, and maintain. (p 10)*

While the conceptual plan seems to indicate that this mixed use project will be a ‘complete community’ we need a complete PUD land use plan submittal to fully analyze this project for compliance to the IACPs

vision of developing a complete community, which will not only be beneficial to people living in the project area but to the people living in the adjoining neighborhood.

This site is not located along an Activity Corridor or within an Activity Center. Staff recommends that the developer design this project so that it is highly connected and integrated into the adjoining residential neighborhood and supports the vision and policies of Imagine Austin. This could be accomplished by including the following concepts and design features into this project: (1) support and enhance the development so that it is well served by public transportation and designed to promote walking and biking both within and out of the project area; (2) ensure harmonious transitions between adjacent land use and development intensities; (3) encourage active and healthy lifestyles by promoting walking and biking, healthy food choices and access to affordable healthcare and recreational opportunities; (4) expand the economic base and create job opportunities (especially beyond the minimum wage); (5) expand the number and types of housing choices to suit a variety of household needs and incomes; (6) ensure the proposed park and open greenspace areas considers the incorporation of community gardens, trails, and sustainably manage water resources; and (7) install numerous place making features throughout the project area (such as public art, performance space, community gardens, parks and open plazas) to make this development both vibrant and exciting to people living within and outside the project area.

Drainage Engineering - Leslie Daniel - 512-974-6316

DATE: 4/20/2015

Acceptance or approval of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for Code compliance by City engineers.

GENERAL

DE1 This subdivision will require the approval of a preliminary plan, final plat and a site development permit for subdivision infrastructure, including streets, drainage, water, and wastewater improvements.

DRAINAGE REPORT

DE2 A drainage report that describes the drainage conditions in and around the subdivision and the plans for improvements with the subdivision is required. This should include an off-site drainage area map, and analysis of how storm water runoff will be managed with development of the subdivision, through detention or other means. The location of the floodplain must be identified.

FLOOD PLAIN

DE3 A flood plain study will be required to determine the limits of the 100-year flood plain for upstream fully developed conditions. The 100-year flood plain will need to be contained within a drainage easement.

OFF-SITE CONVEYANCE

- DE4 Any off-site flows coming into the subdivision will need to be conveyed through the subdivision without impacting adjacent properties and roadways. Any concentrated flow conditions will need to be contained within a drainage easement.

DRAINAGE LAYOUT

- DE5 Drainage plans are required to ensure runoff from the subdivision is captured and conveyed to the proposed pond infrastructure. The 100-year flows will need to be contained within drainage easements or right-of-way.

Environmental - Jim Dymkowski - 512-974-2707
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- EV 0 *Please be advised that additional comments may be generated as updated information is reviewed.*
- EV 1 Please provide an Environmental Resource Inventory Report (ERI) as the site contains both a floodplain and critical water quality zone. Please provide an ERI report that meets the requirements of EMC 1.3.0.
- EV 2 This comment is pending approval of the EA and CEF issues with the ERM section. Additional comments from ERM will need to be addressed.
- EV 3 This project falls within the Edward's Aquifer Recharge 1,500 ft. verification zone. Please contact Scott Hiers with Watershed Protection directly at 974-1916 as he may wish to have additional information provided over what is required as part of the ERI to determine if any of the site is within the recharge zone.
- EV 4 This project is in the Shoal Creek watershed which is classified as urban. Allowable impervious cover is governed by the allowable zoning impervious cover not watershed impervious cover.
- EV 5 In an urban watershed the waterways buffers are established per LDC 25-8-92(F). Please provide an environmental resource exhibit with the land plan overlaid on it clarifying the location the creek centerline, the City of Austin 100 yr. fully developed floodplain, and the critical water quality zone along the creek. Please include this same information on all other sheets and exhibits.
- EV 6 LDC 25-8-261 and 262 affect those actives allowed within the critical water quality zone creek buffer. At this time, staff has not been able to fully review the buffer setbacks and the placement of the proposed trail location on the land plan per those sections. The proposed PUD is not the mechanism to determine its final location so it should be removed from the plan and possibly replaced with a general park open space note to be reviewed under the current code.

- EV 7 In an Urban Watershed there is no watershed review for cut and fill or construction on slopes.
- EV 8 Erosion control standards per the ECM section 1.4 will be required.
- EV 9 You are requesting a determination with the PUD to allow the removal of lesser quality Heritage trees and in at least one place in the report the removal of the same quality protected sized trees. Please clarify if the protected sized trees were to be reviewed now as they would usually be reviewed with the proposed development plans. Also, please provide a tree survey of all trees located within and adjacent to the LOC that are 19 inches in diameter or more as measured 4 1/2 feet above the natural grade level. Include a tree survey table indicating species, ID numbers, caliper inches, and whether trees are proposed to be removed or preserved. The tree survey table must indicate the particular tree types (such as Live Oak, Cedar Elm, Texas Ash, etc.). Indicating only Oak or only Ash does not comply with ECM requirements. Note the following: (1) heritage trees must be indicated with an 'H' on the tree survey list; (2) measurements of all heritage tree stems must be provided in the tree survey list; (3) multi-trunk trees must be indicated with an 'M' on the tree survey list; (4) existing ROW trees with a diameter of greater than 19 inches must be included in the tree survey; (5) indicate on the tree survey list which trees are ROW trees; (6) the tree survey must be 5 years old or less; and (7) indicate the date the tree survey was conducted on the ESC / tree protection sheet. Please include any report on these trees for additional review if available. Trees smaller than 19 inches will be reviewed with the proposed development plans. [ECM 3.3.2.A, ECM 3.3.0]
- EV 10 Within the listed tier one / tier two superiority proposed please clarify the following;
1. In numerous locations, it is listed that the project will exceed the open space requirement per current code, but in only one location does it elaborate that the required code open space is 12 acres. Please confirm 12 acre amount.
 2. In Tier 1 section (F) specifically about water quality improvement you are listing that water quality will be provided for the entire project where currently none is provided in the current TX dot office situation. As this PUD will be reviewed for superiority as a whole new development t, we would look to see that the entire project exceeds current water quality standards. Please clarify how this will be done and what potential practices would be used to accomplish this.
 3. Under section (H) of the Tier one list, it is explained that the project will exceed the minimum code requirements for landscaping. Please clarify how much it will exceed these requirements.
- EV 11 Please further clarify and explain how this PUD will provide superior environmental advantages over conventional zoning for the following code exceptions that have been requested:
- #14 requests to waive the parkland requirements for the PUD. As you are proposing to use greater open space then required by current code as one of the environmental

superiority items please clarify the need to waive this requirement and how the baseline would be measured without it?

- #18 requests that the term open space be broadened to include areas that are not necessarily natural i.e. public plazas and publicly accessible outdoor recreation areas. Please provide additional information as to the possible acreage breakup for the various open spaces types proposed against the overall acreage of open space.

Environmental Officer - Chuck Lesniak - 512-974-2699

- I concur with the comments from the Environmental Reviewer, Jim Dymkowski.
- The Tier 1 and Tier 2 Compliance Summary table states that the project will provide more open space than required by code. Areas required for CWQZ or CEF buffers do not count toward open space exceedance. Please calculate the precise Tier 1 open space requirement (per §2.3.1.C) and provide the total area of the CWQZ and any CEF buffers.
- The Tier 1 and Tier 2 table states that the project will preserve all high quality heritage trees and remove lower quality heritage pecans. Preserving heritage trees is a code requirement, not a superiority element. Removing the lower quality pecans requires a proposed code modification, which must be offset by the project's environmental superiority overall.
- The Tier 1 and Tier 2 table states that the project will provide water quality controls and drainage improvements for the entire site. This is a code requirement, not a superiority element. In Tier 2 section B, please explain how the proposed green water quality controls will be superior to current code requirements in terms of volume, level of treatment, etc.
- Tier 2 section B states that the project will preserve more than 75% of all native caliper inches and native protected trees. Please provide precise calculations for caliper inches to be preserved and caliper inches to be removed, for both native protected size trees and all native trees.
- In general, the project as proposed may not reach the necessary level of environmental superiority. However, the applicant can work with the Environmental Officer and other reviewers to clarify or add superiority elements as needed once the PUD application has been submitted.

Fire Review – Tom Migl - 512-974-0164

- FI. Public infrastructure defer to AWU and Transportation. FYI-Alleys less than 20 feet in width will not count toward fire access. No review required.

Fire Service Delivery Comments:

1. AFD can handle the increased call volume and provide adequate response times to the area with existing stations/units
2. No need for an additional fire station to serve the site.

Flood Plain Review - Henry Price - 512-974-1275

- FP 1. Limits of the 100-year floodplain will need to be contained within a drainage easement.
- FP 2. Trail improvements that change the hydraulic nature of the floodplain, such as grading, addition of fill, etc, will need to demonstrate no adverse floodplain impacts on adjacent property owners.
- FP 3. Buildings adjacent to the floodplain should have finished floor elevations 1' higher than the adjacent base flood elevation.
- FP 4. Building and parking which encroach in the floodplain are prohibited accepted as allowed in LDC-25-7-92.

Heritage Tree Review - Patti Dodson - 512-974-9371

HT1 Please provide a tree survey for trees 19" and greater in diameter and indicate heritage trees with an "H". See EV9 comment for additional tree survey information.

Hydro Geologist Review - Scott Hiers - 512-974-1916

Please be advised that additional comments may be generated as update information is reviewed. If an update has been rejected, reviewers are not able to clear comments based on phone calls, emails, or meetings, but must receive formal updates in order to confirm positive plan set changes.

HG1-Update 0- A Environmental Resource Inventory Report (ERI) is required since the site contains both a floodplain and critical water quality zone. Please provide an ERI report that meets the requirements of EMC 1.3.0

PARD / Planning & Design Review - Marilyn Shashoua - 512-974-9372

Development Assessment

The parkland dedication ordinance [LDC Section 25-1-601] will apply to any subdivision or site plan that proposes 3 or more dwelling units and will not be waived. PARD will require dedicated parkland, not private parkland open to the public, to ensure that parkland is protected in perpetuity.

It appears that the 12 acres of proposed parkland, while meeting Tier 1 requirements, will not meet the parkland dedication requirements for the possible 2,000 plus units that will occupy the acreage. More acreage will be required since some of the acreage is in a floodplain and/or is part of a water quality/detention infrastructure and will count only for 50% toward parkland dedication. Ongoing discussions will be needed to determine if parkland dedication requirements can be met via a combination

of land dedication and parkland improvements. More land will be required to ensure that park/trail access is provided through or at the edge of Tracts A and Tract E. PARD can meet with applicants for further discussions.

Tier 2 requirements will be requested to be satisfied via the construction of a trail to connect to the existing Shoal Creek Greenbelt Park as shown on the concept. PARD can meet with applicants on site to continue discussions of how that can be accomplished. Hike and bike trails along Bull Creek Road will not satisfy Tier 2 requirements for proportional enhancements to existing or planned trails, parks, or other recreational common open space.

Site Plan - Christine Barton-Holmes - 512-974-2788

- SP 1. Please clearly state how this project will exceed the requirements of Subchapter E – Commercial Design Standards, and provide comparative details, as well as the modifications requested.
- SP 2. Provide details on how Art and Great Streets under Tier Two are proposed to be modified.
- SP 3. Please clarify where and why the Parking Structure Frontage and Building Design elements in Tier Two will not be met, and if alternatives are proposed.
- SP 4. The site is surrounded by Compatibility-triggering uses. Please explain how the proposed code modifications for Compatibility, in Attachment 4, will achieve the intent of compatibility and limit potential impacts on the adjoining properties.
- SP 5. The Land Use Plan should describe the type of existing and proposed residential and non-residential uses (conditional and permitted) per tract and/or phase, including:
 - 3.2.1. Uses and Regulations.** The permitted uses, conditional uses, and site development regulations for a planned unit development (PUD) district are established by the ordinance zoning property as a PUD district, the accompanying land use plan, and this section. The council may require development phasing or the construction of off-site infrastructure.
 - 3.2.2. Residential Uses.** For residential uses, a land use plan must include:
 - A. the type and location of each use;
 - B. the maximum density;
 - C. for multifamily development, the maximum floor to area ratio;
 - D. the maximum building height;
 - E. the minimum lot size and width; and
 - F. other site development regulations that may be required by the council.
 - 3.2.3. Nonresidential Uses.** For non-residential uses, a land use plan must include:
 - A. the type and location of each use;
 - B. the maximum floor area ratio, which may not be greater than the maximum floor to area ratio permitted in the most restrictive base zoning district in which proposed use is permitted;
 - C. the maximum building height;
 - D. the minimum front yard and street side yard setbacks, which must be not less than the greater of:

1. 25 feet for a front yard, and 15 feet for a street side yard; or
2. those required by Subchapter C, Article 10 (Compatibility Standards);

E. the number of curb cuts or driveways, which must be the minimum necessary for adequate access to the site; and

F. other site development regulations that may be required by the council.

3.2.4. Industrial Uses. An industrial use must comply with the performance standards established by Section 25-2-648 (Planned Development Area (PDA) Performance Standards).

SP 6. Please clearly show the metes and bounds of the PUD on the overall land use plan.

SP 7. This site is within the bounds of the Rosedale Future Planning Area.

Subdivision - David Wahlgren - 512-974-6455

SR 1. Preliminary plan(s) will be required for any subdivision that will create a private or public street. Platting will be required for all proposed lots.

SR 2. Unless waived by the PUD zoning, any lots that have only access to private streets (and not to public right-of-way) will require a variance at the preliminary plan stage.

SR 3. Your E.I.S. Educational Impact Statement should be done with your zoning application (please check with the zoning case manager regarding this requirement).

Transportation – Bryan Golden - 512-974-3124

TR1. A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

TR2. The Project Design Guidelines must be submitted for review by Development Services Department prior to PUD approval.

TR3. The applicant shall submit a Project Circulation Plan (Subchapter E, 2.2.5.D) of the entire property for review by Austin Transportation Department and Development Services Department prior to PUD approval. This project circulation plan shall henceforth be known as the Collector Street Plan.

Code Modifications (Attachment 4)

TR4. (# 8) Alleys, 25-4-132; Pending Approval. Project design guidelines, including street, alley and sidewalk cross sections are to be submitted for review by ATD, DSD and Urban Design prior to

PUD approval. Alley right-of-way standards must be established and a determination of whether alleys are to be public or private and their directional operation.

- TR5. **(#9) Secondary Street Access, 25-4-171;** Not recommended. This section of code references access to lots. This appears to be an incorrect reference; please clarify.
- TR6. **(#10) Lots on Private Streets, 25-4-171;** Pending Staff Recommendation (additional information required). Prior to PUD approval, a Collector Street Plan is to be submitted for ATD and DSD review. All designated collector streets in this plan shall be public streets. Staff supports this code modification so long as all private streets cannot be gated, are meet ADA and street cross section criteria that will be established in the Project Design Standards.
- TR7. **(#12) Street Design, 25-6-171 (A)** Pending Staff Recommendation (additional information required). Project design guidelines, including street, alley and sidewalk cross sections are to be submitted for review by ATD, DSD and Urban Design prior to PUD approval.
- TR8. **(#13) Commercial Design Standards, Subchapter E, 25-2** Pending Staff Recommendation (additional information required). Project design guidelines, including street, alley and sidewalk cross sections are to be submitted for review by ATD, DSD and Urban Design prior to PUD approval.
- TR9. **(#16) Public Street Alignment, 25-4-151;** Not recommended. This code section refers to street alignment and connectivity and is not applicable to the proposed code amendment; please clarify.

TIER 1 REQUIREMENTS (Section 2.3.1) (Attachment 1)

- TR10. **B.2. High Quality Development and Innovative Design** Please clarify how this project will encourage “alternative transportation options”? Implementation of car sharing, bike sharing, and new Capital Metro facilities are recommended along with integration of bicycle facilities into Collector Street Plan roads to be coordinated with Nathan Wilkes (Bicycle Program, Austin Transportation Department).
- TR11. **G.** Please clarify the “safe, alternative access” to be provided for 45th Street homes. This should include a dedicated public alleyway behind these homes and construction of a 5’ sidewalk along the south side of 45th Street.
- Public parking (both on-street and off-street) should be provided for the signature park and open space.
 - All hike and bike trails are to be constructed to Urban Trail Master Plan standards at minimum and shall be dedicated public easements. Trail location and standards to be coordinated with Nadia Barrera (Urban Trails, Public Works Department) and Nathan Wilkes (Bicycle Program, Austin Transportation Department).
 - Discuss the feasibility of an extension or addition of a BRT line and stop with Capital Metro. These discussions will involve Development Services Department staff.
 - Improve existing bus stops along Bull Creek (amenities, signage, shelter, wayfinding).
 - Pedestrian improvements (to ADA and City of Austin standards), to create safe intersection crossings shall be included in all road intersections listed in the TIA.
 - Provide public access to the Shoal Creek Trail from the south side of the 45th Street bridge at Shoal Creek.

- g. A continuous public ROW, the width of which shall be determined after the Project Design Standards have been submitted, shall be provided in rough alignment from Jackson Avenue at Bull Creek Road, eastward to W. 43rd St. This dedicated ROW will be required to extend to the centerline/property line of Shoal Creek along this alignment for future east-west connection through the site. Connection shall break up the property to meet block length requirements (Subchapter E, 2.2.5).

TR12.

- I.**
 - a. All hike and bike trails are to be constructed to Urban Trail Master Plan standards at minimum, ADA compliance, and shall be within dedicated public easements. Trail location and standards to be coordinated with Nadia Barrera (Urban Trails, Public Works Department) and Nathan Wilkes (Bicycle Program, Austin Transportation Department).
 - b. Discuss the feasibility of an extension or addition of a BRT line and stop with Capital Metro. These discussions will involve Development Services Department staff to develop superior improvements.
 - c. Improve existing bus stops along Bull Creek (amenities, signage, shelter, wayfinding).
 - d. Pedestrian improvements (to ADA and City of Austin standards), to create complete, safe intersection crossings shall be included in all road intersections listed in the TIA.
 - e. Provide public access to the Shoal Creek Trail from the south side of the 45th Street bridge at Shoal Creek.
 - f. A continuous public ROW, the width of which shall be determined after the Project Design Standards have been submitted, shall be provided in rough alignment from Jackson Avenue at Bull Creek Road, eastward to W. 43rd St. This dedicated ROW will extend to the centerline/property line of Shoal Creek along this alignment.
 - g. Midblock points at the exterior of the site will include public ROW stub outs to the north for future connectivity to 45th Street; the alignments of these internal streets are to be determined by Austin Transportation Department.
 - h. A public ROW stub out to the property line shall be provided at the southeastern midblock (Subchapter E, 2.2.5) point for future connection to Idlewild Road.
 - i. Provide a dedicated public cycle track along or within Jackson Avenue to connect to a future LSTAR station at 35th St. and Mopac. This is to be coordinated with Nathan Wilkes (Bicycle Program, Austin Transportation Department).

TR13.

J. Prohibit Gated Roadways

- a. PUD language must explicitly state that streets, driveways, ICR's, alleys, roadways and trails are prohibited from being gated.

Additional Requirements (Section 2.3.2)

TR14.

A. Comply with 25-2

- a. The applicant will submit the Project Design Guidelines, including a diagram of all roadway standards to be incorporated, for review by ATD Complete Streets and Development Services Department prior to PUD approval.
- b. Within the Project Design Guidelines, it must be stated that all street types are to be built with a minimum 4' sidewalk along both sides.
- c. Within the Project Design Guidelines, it must be stated that all street types are to be constructed with Core Transit Corridor street tree standards at minimum.

- TR15. **B. Comply with 25-2**
- a. The applicant will submit the Project Design Guidelines, including a diagram of all roadway standards to be incorporated, for review by ATD Complete Streets and Development Services Department in order to assess proposed superior Subchapter E standards prior to PUD approval.
 - b. Sidewalks along Bull Creek Road are to be built to Core Transit Corridor standards.
 - c. All proposed dedicated collector streets are to be built to Core Transit Corridor standards (Sub. E, 2.2.2).
 - d. All private drives, streets, and ICR's are to be built to Subchapter E standards (Sub. E, 2.2.5).

TIER 2 REQUIREMENTS

- TR16. **A. Open Space**
- a. In order to ensure open spaces will be "publicly accessible", all hike and bike trails are to be constructed to Urban Trail Master Plan standards at minimum and shall be ADA compliant and within dedicated public easements. Trail location and standards to be coordinated with Nadia Barrera (Urban Trails, Public Works Department) and Nathan Wilkes (Bicycle Program, Austin Transportation Department).
 - b. Public parking (both on-street and off-street) should be provided for the signature park and open space.
 - c. Pathways and trails adjacent to or leading to a pedestrian oriented use shall incorporate lighting, landscaping and street furniture which shall be approved by Urban Design.

- TR17. **E. Great Streets**
- a. The applicant will submit the Project Design Guidelines, including a diagram of all roadway standards to be incorporated for review by Humberto Rey (Great Streets, Urban Design).

- TR18. **G. Transportation**
- a. Bicycle parking, using City of Austin standard detail #710S-1, S-2, or superior, shall be provided at a minimum of 10% of the motor vehicle spaces, or 10 spaces, whichever is greater (LDC, 25-6-476, Appendix A). TCM 9.2.0, #11.
 - b. Provide a dedicated public cycle track along Jackson Avenue to connect to a future LSTAR station at 35th St. and Mopac to be coordinated with Nathan Wilkes (Bicycle Program, Austin Transportation Department).
 - c. All multifamily developments shall incorporate bicycle cage parking for residents.
 - d. Bicycle parking shall be provided at every public amenity.
 - e. Shower facilities shall be incorporated into all commercial developments for the use of employees.
 - f. Bike Share ("B-cycle") stations shall be provided within the PUD.
 - g. Dedicated car-sharing parking spaces will be provided within the PUD.
 - h. Discuss the feasibility of an extension or addition of a BRT line and stop with Capital Metro. These discussions will involve Development Services Department staff.
 - i. Improve existing bus stops along Bull Creek (amenities, signage, shelter, wayfinding).
 - j. In order to ensure open spaces will be "publicly accessible", all hike and bike trails are to be constructed to Urban Trail Master Plan standards at minimum and shall be ADA compliant and within dedicated public easements. Trail location and standards to be coordinated with Nadia Barrera (Urban Trails, Public Works Department) and Nathan Wilkes (Bicycle Program, Austin Transportation Department).

TR19. I. Parking Structure Frontage

- a. Where a pedestrian oriented use is not feasible, parking structure shall incorporate “green” screening/landscaping, art, and pedestrian scaled facades/materials to screen the parking structure.
- b. Service and loading areas shall incorporate art and landscaping to allow continuity of pedestrian oriented use and scale.

TR20. L. Accessibility

- a. Pedestrian improvements (to ADA and City of Austin standards) to create complete, safe intersection crossings shall be included in all road intersections listed in the TIA.
- b. Sidewalks along private ICR’s, driveways, and streets shall be ADA compliant.
- c. In order to ensure open spaces will be “publicly accessible”, all hike and bike trails are to be constructed to Urban Trail Master Plan standards at minimum and shall be ADA compliant and within dedicated public easements.

TR21. Additional comments may be provided when more complete information is obtained.

WWW - Neil Kepple - 512-972-0077

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own his expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and/or abandonments required by the proposed land uses. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility in compliance with Texas Commission of Environmental rules and regulations, the City’s Utility Criteria Manual and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fees with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Water and wastewater SERs 3607 and 3608 in currently in review and must be approved

The Utility strongly recommends against the proposal to plat on private streets as this results in inferior streets over our utilities and the lack of ROW greatly complicates system design with complex easement and PUE dedications. The project Engineers are advised to get with Pipeline Engineering (Lonnie Robinson) as soon as possible to discuss the private street option and what will be required regardless of any variances granted including but not limited to the requirements listed below.

Typical water system operating pressures in the area are above 65 psi. Private Pressure reducing valves reducing the pressure to 65 psi (552 kPa) or less to water outlets in buildings shall be installed in accordance with the plumbing code.

All AWU infrastructure and appurtenances must meet all TCEQ separation criteria. Additionally AWU must have adequate accessibility to safely construct, maintain, and repair all public infrastructure. Rules & guidelines include:

1. A minimum separation distance of 5 feet from all other utilities (measured outside of pipe to outside of pipe) and AWU infrastructure;
2. A minimum separation distance of 5 feet from trees and must have root barrier systems installed when within 7.5 feet;
3. Water meters and cleanouts must be located in the right-of-way or public water and wastewater easements;
4. Easements for AWU infrastructure shall be a minimum of 15 feet wide, or twice the depth of the main, measured from finished grade to pipe flow line, whichever is greater.
5. A minimum separation of 7.5 feet from center line of pipe to any obstruction is required for straddling line with a backhoe large and/or deep lines may require additional clearance to account for larger equipment;
6. AWU infrastructure shall not be located under water quality or detention structures and should be separated horizontally to allow for maintenance without damaging structures or the AWU infrastructure.
7. The planning and design of circular Intersections or other geometric street features and their amenities shall include consideration for access, maintenance, protection, testing, cleaning, and operations of the AWU infrastructure as prescribed in the Utility Criteria Manual (UCM)
8. Building setbacks must provide ample space for the installation of private plumbing items such as sewer connections, customer shut off valves, pressure reducing valves, and back flow prevention devices in the instance where auxiliary water sources are provided.

Watershed Engineering - Reem Zoun – 512-974-3354

Tier 2 Requirements

B. Environment/ Drainage

The project will provide volumetric flood detention if feasible in addition to matching the peak flow requirements. The project will show no downstream adverse impact during 2yr, 10yr, 25yr and 100yr storm events.

DATE: 4/20/2015

Acceptance or approval of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not the application is reviewed for Code compliance by City engineers.

DRAINAGE REPORT

WQ1 A drainage report that describes the drainage conditions in and around the subdivision and the plans for improvements with the subdivision is required. This should include a description of the alternatives used to obtain water quality standards for this area, including the use of structural controls, vegetative filtration, etc...

LANDFILL

WQ2 A landfill certification is required in accordance with LDC 25-1-83.

DRAINAGE LAYOUT

WQ3 Drainage plans are required to ensure runoff from the subdivision is captured and conveyed to the proposed water quality facilities. Ensure that sufficient water quality controls are established for added impervious cover in the subdivision.

WATER QUALITY FACILITIES

WQ4 Ensure that sufficient land is provided for the proposed water quality and detention lot to meet the requirements of ECM 1.6.3.

WQ5 Full sedimentation filtration ponds will be required for City of Austin maintained ponds. Ensure that sufficient space is provided for this type of facility.

WQ6 Committing the developer to incorporate distributed water quality controls into the streets must be thoroughly vetted with Public Works and Austin Water Utility. The use of ROW for required water quality controls is currently not allowed.

WQ7 The applicant shows compliance with Tier 2 Requirement – Section 2.4 (B), but does not appear to propose providing water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size. In addition, the use of porous pavement and rainwater harvesting is not provided.

CRITICAL WATER QUALITY ZONE

WQ8 Critical Water Quality Zones (CWQZ) are on this site. Development is limited in the CWQZ with the exceptions as listed in Section 25-8-261 of the Land Development Code. See the following link below for development allowed in the CWQZ.
https://www.municode.com/library/tx/austin/codes/land_development_code?nodeId=IT25LADE_CH25-

- WQ9 Restoration of riparian vegetation in existing, degraded CWQZs is not currently shown (Tier 2 Requirement – Section 2.4 (B)).

Zoning/Land Use - Sherri Sirwaitis - 512-974-3057
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April 27, 2015

- ZN1. What is the applicant proposing as the baseline zoning district(s) for the PUD? The staff understands from your letter that the applicant thinks the staff would support a combination of SF-6 along the adjacent neighborhoods, MF-2 in the interior of the site, and MF-4, LO-MU and LR-MU along Bull Creek Road. However, what is the applicant actually proposing as the baseline districts and why is it not referenced on the Land Use Plan or in the Attachments?
- ZN2. Where is the proposed Land Use Summary Table for the PUD? What are the proposed minimum and maximum densities/acreages proposed of single-family residential, multifamily residential, office, commercial and open space uses within the PUD? A Land Use Summary Table is usually provided on the Land Use Plan for the PUD.
- ZN3. Where is the approximate 12 to 16 acres of open space area proposed within the PUD? The Land Use Plan indicates a general proximity for some open space areas. However, it does not state the acreage of these open space areas. In the applicant's presentation to staff, they indicated that there would be an open space/vegetative buffer along Bull Creek Road (Bull Creek Frontage). Yet this open space area is not shown on the proposed Land Use Plan that was submitted for review. In addition, the applicant's presentation also displayed a Public Plaza, a Signature Park, a Greenbelt, a Shoal Creek Trail Connection and a Pocket Park on the Conceptual Master Plan. But this information has not been included with the Development Assessment submittal for this property.
- ZN4. Why is the applicant asking to waive/alter Compatibility Standards within the proposed PUD property? The staff understands that the applicant is requesting cumulative zoning on Tracts B, C, and D of the PUD. However, the applicant is not proposing compatibility setbacks between residential and non-residential uses (i.e.-between single-family residential and intensive commercial uses such as Automotive Rentals/Sales/Washing, Cocktail Lounge, Exterminating Services, Outdoor Sports and Recreation and Research uses).
- ZN5. The applicant states in the request that they will be proposing modifications to Subchapter E (Design Standards and Mixed Use) that will replace and supersede Subchapter E. What are these modifications? Why was this information not included with the Development Assessment submittal for review and consideration by the staff?
- ZN6. In Attachment 1: Tier 1 and Tier 2 Compliance Summary Table, the applicant states that the applicant will Preserve Natural Environment by preserving heritage trees on the property and by providing innovative water quality controls and drainage improvements for the entire site. Will the applicant be submitting a tree survey and/or an environmental survey with the future Planned Unit Development application for the staff's review? What are the proposed park improvements

and amenities that will be open to the public? The applicant states that they will provide art in public spaces through the development of a public art plan. What is this public art plan? Where and what bicycle facilities will the applicant provide through the PUD project? Item M. states that the applicant will provide spaces available at affordable rates to one or more such businesses. What does the applicant define as affordable rates for restaurant or small businesses? If the applicant is proposing these items as benefits/meeting Tier 2 requirements for the PUD, please provide additional information about the amenities with the actual Planned Unit Development application submittal.

- ZN7. Why is the applicant requesting 75 feet of height and unlimited FAR on Tract B? Please justify the need for the unlimited density and additional height in this area of the PUD.