

ENVIRONMENTAL COMMISSION BRIEFING SUMMARY SHEET

ZONING CASE NUMBER: C814-2015-0074 (The Grove at Shoal Creek Planned Unit Development)

DISTRICT AREA: 10

REQUEST:

Presentation of a Briefing Summary 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 proposed The Grove at Shoal Creek Planned Unit Development (PUD) is generally located on Bull Creek Road at 45th Street. 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 Exhibits A and B: Zoning 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 not located within the Edwards Aquifer recharge or contributing zones.

The applicant is requesting PUD district zoning for a 75.74 acre mixed use project. According to the Yield sheet from Transportation Impact Analysis (TIA), the proposed PUD may include up to 110 single family residential units, 600 apartment units, 425 residential condo units, a 600 unit congregate care facility, a 7,500 sq. ft. health/fitness club, 200,000 sq. ft. of office uses, 25,000 sq. ft. of medical office uses, 55,000 sq. ft. of specialty retail uses, a 35,000 sq. ft. supermarket/food sales uses, 8,500 sq. ft. of pharmacy/drug store/general retail sales (convenience) uses, a 3,000 sq. ft. walk-in bank/financial services use, 8,000 sq. ft. of drinking place/cocktail lounge uses, 15,000 sq. ft. quality restaurant/restaurant (general) uses, 9,000 sq. ft. high turnover restaurant/restaurant (limited) uses, and a 2,000 sq. ft. coffee-donut shop without drive through use//restaurant (limited) use.

As shown on the proposed Land Use Plan (please see Exhibit C), the property has been divided into seven tracts. Tract A and Tract E are primarily low density residential areas that permit single family residential uses through condominium/townhouse residential uses, as well as a Religious Assembly civic use. Tract B is the largest area within the PUD. It is a mixed use area that will permit a wide range of uses from single family residential and multi-family residential to office, civic and more intensive commercial uses. Tract C will permit single family residential uses, multifamily residential uses, schools, religious assembly and other civic uses. Tract D allows for a mix of residential and civic uses with a live work units that will allow for office uses, art gallery and art workshop uses, counseling services, cultural services, day care services, financial services, personal services, pet services, schools etc. Tracts F and G will permit the same uses: single family residential uses, multifamily residential uses, office uses, and lower intensity commercial uses such as art gallery/workshop, financial services, personal services and pet services as well as numerous civic uses. However, Tract F will have a maximum height of up to 40 feet, with a caveat that the height may be increased to a maximum of 60 feet for an affordable housing development with the Affordable Housing program. Tract G permits a maximum height of 60 feet outright. Currently, the proposed 17.75 acres of parkland and open space areas are interspersed throughout the project area over all of the Tracts within the PUD as a Signature Park, Shoal Creek Trail area, Greenbelt area and Neighborhood Park.

PROPOSED CODE MODIFICATIONS:

There are 20 modifications to Code requirements requested by the Applicant. These proposed modifications are summarized below:

- Chapter 25-1 and Chapter 25-4-211, Article 14 (*Parkland Requirements*) – Specifies the parkland dedication and open space requirements. Modifies Section 25-1-602 (Dedication of Parkland Required) to state that the subdivider or site plan applicant shall provide for parkland for park and recreational purposes under the terms of The Grove at Shoal Creek Parks Plan and Parkland Improvement Agreement as attached exhibits to the PUD ordinance.
- Chapter 25-1, Section 25-1-21(44) (*Gross Floor Area*) – Revises the definition of Gross Floor Area to apply this term to include the addition of parking structures.
- Chapter 25-2, Section 25-2-492 (*Site Development Regulations*) – To propose that the site development regulations applicable to the Property be as shown on the Land Use Plan.
- Chapter 25-2, Section 25-2-492 (*Site Development Regulations*) and Section 25-1-21 (47) (*Height*) – To request a modification to state that a parking level shall not be and is not considered a “story”.
- Chapter 25-2, Section 25-2-1006 (*Visual Screening*) – To state that Section 25-2-1006 (A) shall not apply to any water quality and/or storm water drainage facility that serves as an amenity or to any Green Storm Water Quality Infrastructure as defined in the Environmental Criteria Manual, except that any green infrastructure hardened outfalls and control structures should still be buffered from public ROW. Section 25-2-1006 (C) shall not apply between uses or sites that are both located within the PUD boundaries. Section 25-2-1006 (C) shall still apply at the boundaries of the PUD.

- Chapter 25-2, Subchapter B, Article 2, Division 5, Section 3.2.3.D.1 (*Planned Unit Development Regulations*) – To state that these conditions of the Code that require a minimum front yard and street side yard setbacks be at least 25 feet for a front yard and 15 feet for a street side yard shall not apply to the PUD.
- Chapter 25-2, Article 10, Compatibility Standards – To state that Compatibility Standards do not apply within the PUD. However, Compatibility Standards will apply where development outside of the PUD triggers these standards for development within the PUD.
- Chapter 25-2, Compatibility Standards, Section 25-2-1063(*Height Limitations and Setbacks for Large Sites*)(C)(2) and (3) – To establish an area within Tract B where Section 25-2-1063(C)(2) shall not apply and where Section (C)(3) is modified to allow for a structure more than 50 feet but not more than 300 feet from the property zoned SF-5 or more restrictive to have a height up to 60 feet.
- Chapter 25-2, Compatibility Standards, Section 25-2-1067(G) (*Design Regulations*) and (H) – To state that this section of the Code does not apply to the Tract A for the construction of an alley, public road, trails and/or sidewalks.
- Chapter 25-2, Subchapter E, Design Standards and Mixed Use – To request to that the requirements of Subchapter E not apply to the property within the PUD and to replace these conditions with the applicant's proposed The Grove at Shoal Creek Design Guidelines.
- Chapter 25-4, Section 25-4-132(B) (*Easements and Alleys*) – To modify this section so that loading and unloading may also occur in any alley that also services as a fire lane.
- Chapter 25-4, Section 24-4-153 (*Block Length*) – To request that this section not apply to the property within the PUD.
- Chapter 25-4, Section 24-4-157 (*Subdivision Access Streets*) – To request that this section that requires secondary street access not apply to the property within the PUD.
- Chapter 25-4, Section 24-4-171(A) (*Access to Lots*) – To modify this section so that to add that each lot in a subdivision may also abut a private street or private drive subject to a permanent access easement.
- Chapter 25-1 and Chapter 25-4, Section 25-4-211 (*Parkland Dedication*) – To request that platting requirements for parkland dedication be modified so that it is governed by the conditions of the PUD ordinance/exhibits.
- Chapter 25-4, Section 25-4-151 (*Street Alignment and Connectivity*) – To state that notwithstanding the requirements of Section 25-4-151 that private drives and/or streets within the property may be aligned to connect to existing or future street on adjoining property.
- Chapter 25-4, Section 25-4-152 (A) (*Dead-End Streets*) – Adding to this requirement that a street may terminate in a connection with private drives and/or private streets within the property.

- Chapter 25-6, Section 25-6-171(A) (*Standards for Design and Construction*) – To modify these requirements so that a roadway, private drive street or alley must be designed and constructed in accordance with The Grove at Shoal Creek Design Guidelines. Stating that the Transportation Criteria Manual and City of Austin Standards and Standard Specifications shall apply to the extent they do not conflict the proposed PUD Design Guidelines.
- Chapter 25-8, Section 25-8-641(B) (*Removal Prohibited*) – To change the requirements for the removal of heritage trees within the PUD.
- Drainage Criteria Manual, Section 1.2.4.E.1(a) (*Fencing Requirements for Drainage Facilities*) – To amend this DCM Section to remove the requirement for barrier-type fences.

PROPOSED BENEFITS OF THE PUD:

As more fully detailed on the Land Use Plan and in the Tier 1 and Tier 2 Compliance, this proposed PUD meets the applicable Tier 1 items and offers some elements of superiority in thirteen Tier 2 categories (*Open Space; Environment/Drainage; Art; Community Amenities, Transportation, Affordable Housing and Accessibility*).

The applicant is offering the following -

Affordable Housing

- Provide a substantial on-site affordable housing component. They will describe this proposal in The Grove at Shoal Creek Affordable Housing Plan. According to NHCD in this plan the applicant is currently proposing 180,000 sq. ft. / 180-200 affordable units on the site.

Accessibility

- Provide for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.

Art

- Participate in the Art in Public Places Program. The applicant will develop a Public Art Plan that will consist of a minimum of three (3) significant art pieces. The applicant will consult with and consider the City's Art in Public Places (AIPP) program for implementing this program.

Community Amenities

- Provide a large on-site, publicly accessible signature park space with park improvements and amenities open to the public.
- Provide public community and public amenities including spaces for community meetings, gatherings and other community needs.
- Provide publicly accessible multi-use trails and greenways within the property along Shoal Creek.

Environmental/Drainage

- Use of a wet pond and/or green water quality controls for a minimum of 50% of the required water quality volume on-site.
- Provide that a minimum of ten acres of impervious cover on the site will drain to and be substantially treated by green water quality controls that infiltrate or reuse water, such as rain gardens, biofiltration facilities, and rainwater harvesting.
- Proposing no modification to the existing 100-year floodplain.

- Preserve more than 75% of all protected size native caliper inches, provide increased mitigation for the removal of heritage trees in poor condition, and prepare a tree care plan for all preserved heritage and protected trees on site.
- Cluster development/impervious cover along Bull Creek Road and in the interior of the property away from Shoal Creek and the larger oak groves on the property to avoid environmentally sensitive areas.
- Direct storm water runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.
- Provide on-site detention for the 9.39 acres of existing impervious cover on site that is not currently detained.
- Provide educational signage at the wetland Critical Environmental Feature.
- Implement an Integrated Pest Management Plan for the whole property.
- The Grove at Shoal Creek Design Guidelines will require street trees on all internal streets and along Bull Creek Road in excess of the Code requirements in Subchapter E.
- The proposed Design Guidelines will also require that a minimum of 95% of all non-turf plant materials be from or consistent with the City's Grow Green Guide.

Great Streets

- Provide private street cross sections that will meet the intent and purposes of the Great Streets Program through the proposed The Grove at Shoal Creek Project Design Guidelines.

Green Building

- Comply with at least a 2-star Green Building requirement.

Parkland and Open Space

- Provide a minimum of 17.25 acres of open space, including parkland.
- This open space will be publicly accessible. Will offer recreational area throughout the PUD.

Transportation

- Roadway and intersection improvements through the use of turn lanes and signalization shall be funded 100% by the applicant.
- Provide bicycle facilities, including bike storage and trails.

Utility Facilities

- Provide water system improvements that will improve water pressure to the area.

TIMELINE OF THE PUD APPLICATION REVIEW:

- Development Assessment application submitted by the applicant – April 6, 2015
- Master Report sent out for the Development Assessment review – April 28, 2015
- Briefing of the Development Assessment at City Council – June 11, 2015
- Discussions to Establish Baseline Zoning for the PUD –
 - Postponed from the June 11, 2015 to the August 13, 2015 City Council meeting.
 - Postponed from the August 13, 2015 to the October 8, 2015 City Council meeting.
 - Postponed indefinitely by the City Council at the October 8, 2015 meeting.
- Zoning application filed by the applicant – June 17, 2015
- Master Report #1 sent out to the applicant – August 4, 2015
 - Update #1 submitted by the applicant responding to the staff's comments – August 14, 2015

- Master Report #2 sent out to the applicant – August 31, 2015
Update #2 submitted by the applicant responding to the staff's comments – September 29, 2015
- Master Report #3 sent out to the applicant – October 27, 2015. Staff requires a formal update submittal.
- Environmental Commission Review – November 4, 2015: Motion to postpone the case to December 16, 2015, with a briefing on the status of the review to be presented at the November 18, 2015 meeting (8-1, H. Smith-abstain); M. Perales-1st, M. Neely-2nd.

The zoning case will expire on December 14, 2015 if there is no action taken by the Zoning and Platting Commission within 181 days of the zoning application filing. Therefore, the case will be scheduled for the December 1, 2015 Zoning and Platting Commission meeting and the staff will request a postponement so that the Environmental Commission may review the case and make a recommendation first.

CURRENT REVIEW STATUS OF THE PUD APPLICATION:

The staff's comments on the applicant's Update #2 submittal for this proposed PUD project are compiled in the Master Report #3 for case C814-2015-0074 (please see Master Report #3 – Exhibit D). The following is a summary from the review disciplines with outstanding comments/questions for this PUD application.

Drainage Engineering Review:

The staff is requesting that the applicant project provide volumetric flood detention in addition to matching the peak flow requirements for flood control.

Neighborhood Housing and Community Development Review:

NHCD has not finalized the affordability agreement on this item. We have another meeting with the developer Tuesday, November 10, 2015 at 4:00 p.m. We do not know if we will have resolution to the affordability component that we will be able to support the PUD zoning request by end of day Tuesday.

Parks and Recreation Department Planning and Design Review:

After a meeting between PARD, Watershed, Council and the Applicant at the end of October, the Applicant agreed to revise their Parkland Exhibit to demonstrate compliance with the parkland dedication ordinance. PARD is currently awaiting this revised Land Use Plan/Park Exhibit in order to determine if the Application meets minimum qualifications for parkland dedication requirements. The Applicant is not proposing to be superior with respect to any credited parkland acreage over the minimum required.

Site Plan Review:

Staff is requesting more detailed information from the applicant about the buffering, building height, location of the cocktail lounges, and if any uses will be conditional.

- SP 10. 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. *U1 – The list of code*

modifications was not included in this reviewer's update. U2 – Please consider including a height limit buffer around the perimeter of the site, as has been done on Tracts A and E.

SP 11. Please provide more details on the following:

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). *U1 – The nonresidential setbacks are less than those required above. Please detail how this exceeds standard LDC requirements. U2 – Thank you for the clarification. Please provide more details on the following:*

Location of the cocktail lounge(s); a height map indicating tallest buildings in the center of the site (Tract B), with height step-downs to the perimeter; and whether any uses will be conditional.

Transportation Review:

Review of the Traffic Impact Analysis by the City of Austin and TXDOT staff is ongoing. The Development Services Department and the Austin Transportation Department submitted joint comment responses for the Project Design Guidelines to the applicant on Friday, November 6, 2015. The staff stated that this information will be included in the next formal comment response to the PUD update as well.

Staff has concluded our initial review of the Project Design Guidelines and we will begin discussion with the applicant next week. Additional supplemental information has been requested for the TIA, however the ATD/DSD review of the TIA is approximately 2/3 completed at this point and transmittal of comments expected by the end of the week.

Water Quality Review:

Water quality review is requesting information from the applicant concerning the maintenance of roadways in the PUD. Please state if proposed roads are private or City of Austin maintained. The street cross-sections indicated rain gardens within the ROW. It should be noted that the City will only maintain rain gardens in the ROW that are only for ROW treatment.

Zoning/Land Use Review:

The zoning/land use review staff is requesting information from the applicant concerning the applicant's request to "bucket" impervious cover, building coverage, density/FAR and dwelling units. The staff would like the applicant to explain how this "bucket" system is going to work/function in the PUD and how this information will be tracked during the development and duration of the PUD. We understand from the most recent Update submittal, that the applicant is now proposing an FAR limit of 1.5 on Tract B. Yet the applicant is also requesting to "bucket" density/FAR over the entire site. The staff would like to know how this "bucket" system will affect development on the largest tract (Tract B) within the PUD.

In addition, the staff would like to have specific regulations for the corner (residential) Tracts A and E in the PUD. We require more definition on the how and where the maximum height will be measured on the site.

The zoning staff is also concerned about the amount of cocktail lounge use that the applicant is proposing in the PUD. We would like to know why the applicant requesting 25,000 sq. ft. of cocktail lounge use within this 75 acre property.

The staff stated in Master Report #3 that we cannot support the applicant's request to exclude congregate living and affordable housing units toward the overall 1515 dwelling unit cap in the PUD. We asked the applicant to explain their rationale to exclude these types of uses/development within the dwelling unit calculations that AISD has reviewed.

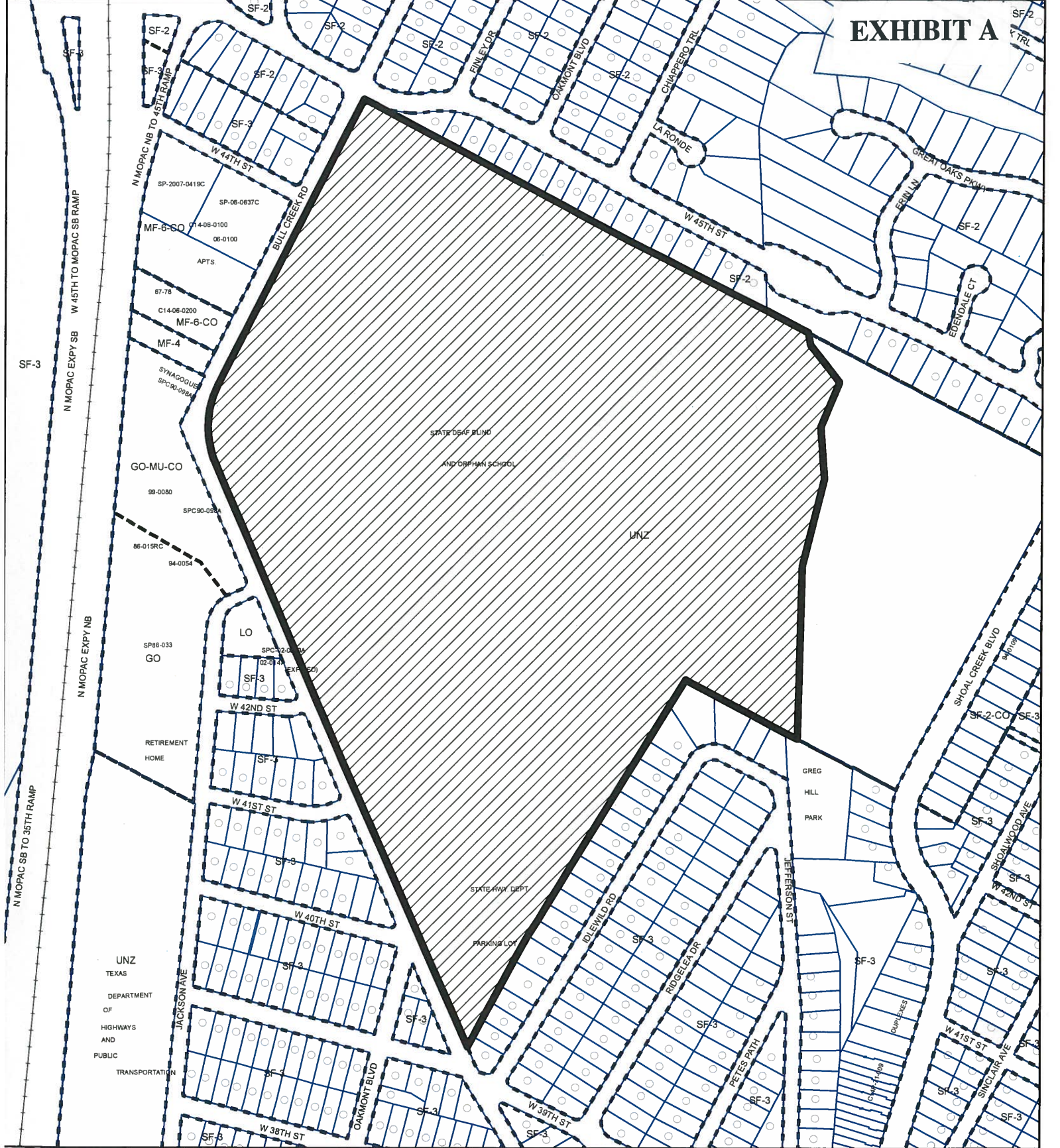
The staff received the applicant's proposed Project Design Guidelines with the applicant's Update #2 submittal and requested a review of the document by the Urban Design staff. We ask that the applicant provide a response to the Urban Design staff's comments so that we can complete our evaluation and make a recommendation on the Code modifications requested to Subchapter E (Design Standards and Mixed Use). In addition, we ask why the applicant is requesting a zero foot front setback along Bull Creek Road if the applicant's proposed Project Design Guidelines require a minimum 15 foot wide landscape setback along the entire Bull Creek frontage. The staff is concerned about intensive development being placed along the frontage of Bull Creek Road in areas that front existing single family residences across Bull Creek Road between W. 44th Street and W. 45th Street.

APPLICANT: ARG Bull Creek, Ltd. (Garrett Martin)

AGENT: Thrower Design (A. Ron Thrower)

ASSIGNED STAFF: Sherri Sirwaitis

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


$$1'' = 400'$$

PLANNED UNIT DEVELOPMENT

ZONING CASE#: C814-2015-0074

SUBJECT TRACT

PENDING CASE

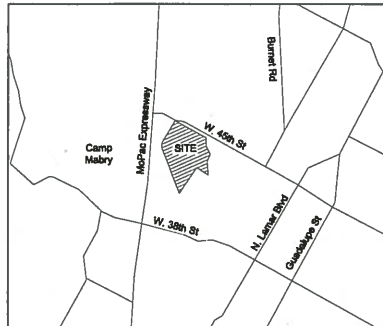
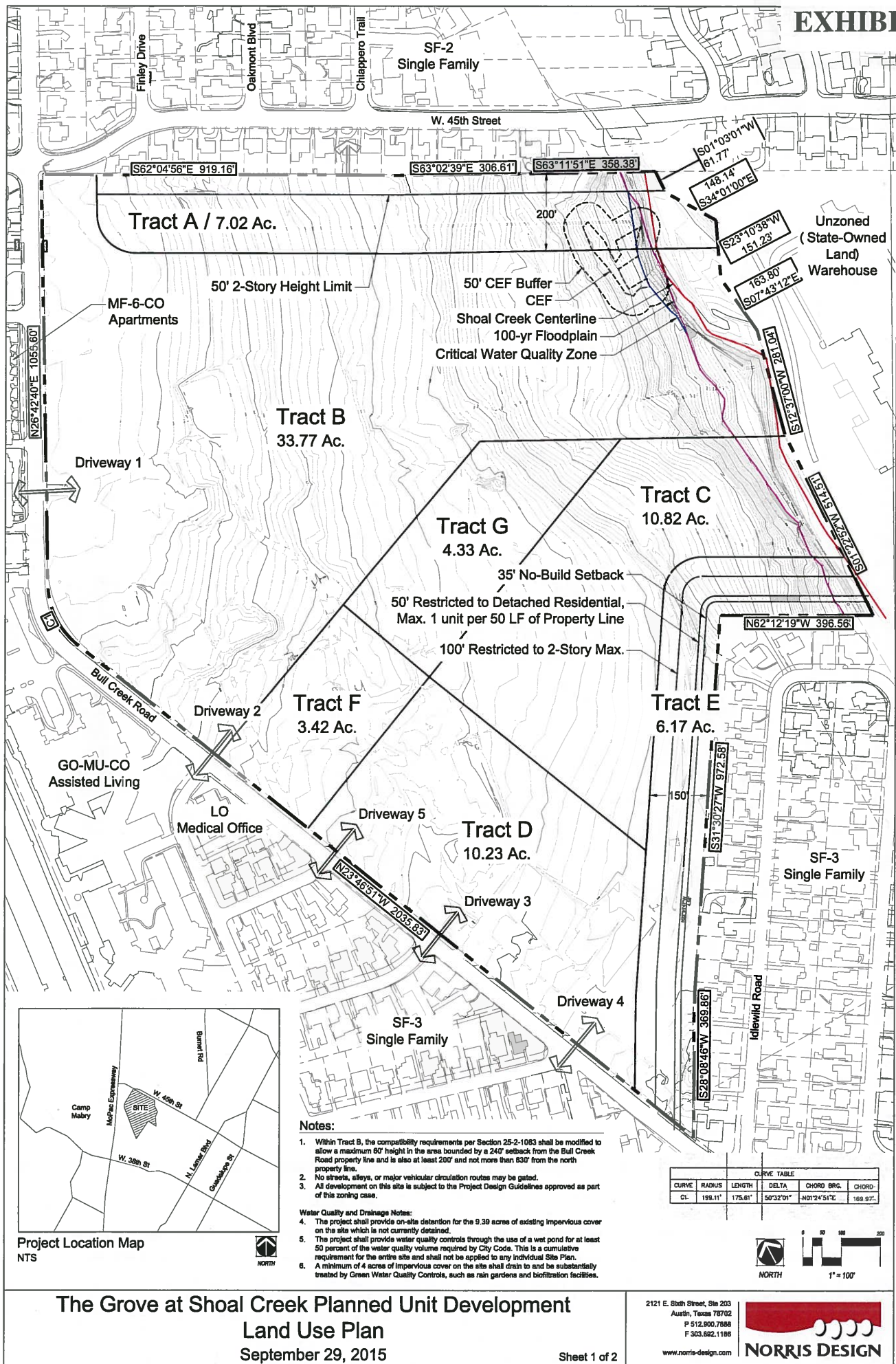
ZONING BOUNDARY

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.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.







Project Location Map
NTS

Notes:

1. Within Tract B, the compatibility requirements per Section 25-2-1063 shall be modified to allow a maximum 60' height in the area bounded by a 240' setback from the Bull Creek Road property line and is also at least 200' and not more than 830' from the north property line.
2. No streets, alleys, or major vehicular circulation routes may be gained.
3. All development on this site is subject to the Project Design Guidelines approved as part of this zoning case.

Water Quality and Drainage Notes:

4. The project shall provide on-site detention for the 9.39 acres of existing impervious cover on the site which is not currently detained.
5. The project shall provide water quality controls through the use of a wet pond for at least 50 percent of the water quality volume required by City Code. This is a cumulative requirement for the entire site and shall not be applied to any individual Site Plan.
6. A minimum of 4 acres of impervious cover on the site shall drain to and be substantially treated by Green Water Quality Controls, such as rain gardens and biofiltration facilities.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEG.	CHORD
CL	198.11'	175.61'	50°32'01"	N01°24'51"E	188.97'



1" = 100'

TRACTS A & E

Condominium Residential
 Duplex Residential
 Religious Assembly
 Retirement Housing (Small Site)
 Short-Term Rental
 Single-Family Attached Residential
 Single-Family Residential
 Small Lot Single-Family Residential
 Townhouse Residential
 Two-Family Residential

TRACT D

Community Garden
 Condominium Residential
 Congregate Living
 Duplex Residential
 Multifamily Residential
 Off-site Accessory Parking
 Public Primary Education Facilities
 Public Secondary Education Facilities
 Religious Assembly
 Retirement Housing (Small Site)
 Short-Term Rental
 Single-Family Attached Residential
 Single-Family Residential
 Small Lot Single-Family Residential
 Townhouse Residential
 Two-Family Residential
 Urban Farm

The uses below will be permitted in Tract D as live-work units only.

Administrative & Business Offices
 Art Gallery
 Art Workshop
 Counseling Services
 Cultural Services
 Day Care Services (Commercial)
 Day Care Services (General)
 Day Care Services (Limited)
 Financial Services
 Medical Offices (all sizes)
 Personal Services
 Pet Services
 Private Primary Education Facilities
 Private Secondary Education Facilities
 Professional Office
 Software Development

OPEN SPACE

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

TRACT B

Administrative & Business Offices
 Art Gallery
 Art Workshop
 Automotive Rentals
 Automotive Sales (max. 3000 SF)
 Automotive Washing (accessory only)
 Business or Trade School
 Business Support Services
 Cocktail Lounge
 College & University Facilities
 Commercial Off-Street Parking
 Community Garden
 Community Recreation (Private)
 Community Recreation (Public)
 Condominium Residential
 Congregate Living
 Consumer Convenience Services
 Consumer Repair Services
 Counseling Services
 Cultural Services
 Day Care Services (Commercial)
 Day Care Services (General)
 Day Care Services (Limited)
 Duplex Residential
 Financial Services
 Food Preparation
 Food Sales
 General Retail Sales (Convenience)
 General Retail Sales (General)
 Hospital Services (Limited)
 Hotel-Motel
 Indoor Entertainment
 Indoor Sports & Recreation
 Liquor Sales
 Medical Offices (all sizes)
 Mobile Food Establishments
 Multifamily Residential
 Off-Site Accessory Parking
 Outdoor Sports & Recreation
 Personal Improvement Services
 Personal Services
 Pet Services
 Printing & Publishing
 Private Primary Education Facilities
 Private Secondary Education Facilities
 Professional Office
 Public Primary Education Facilities
 Public Secondary Education Facilities
 Religious Assembly
 Research Services
 Restaurant (General)
 Restaurant (Limited)
 Retirement Housing (Small Site)
 Safety Services
 Short-Term Rental
 Single-Family Attached Residential
 Single-Family Residential
 Small Lot Single-Family Residential
 Software Development
 Theater
 Townhouse Residential
 Two-Family Residential
 Urban Farm

TRACT C

Community Garden
 Condominium Residential
 Congregate Living
 Duplex Residential
 Multifamily Residential
 Off-Site Accessory Parking
 Public Primary Education Facilities
 Public Secondary Education Facilities
 Religious Assembly
 Retirement Housing (Small Site)
 Short-Term Rental
 Single-Family Attached Residential
 Single-Family Residential
 Small Lot Single-Family Residential
 Townhouse Residential
 Two-Family Residential
 Urban Farm

TRACT F&G

Administrative & Business Offices
 Art Gallery
 Art Workshop
 Community Garden
 Condominium Residential
 Congregate Living
 Counseling Services
 Cultural Services
 Day Care Services (Commercial)
 Day Care Services (General)
 Day Care Services (Limited)
 Duplex Residential
 Financial Services
 Medical Offices (all sizes)
 Multifamily Residential
 Off-site Accessory Parking
 Personal Services
 Pet Services
 Private Primary Education Facilities
 Private Secondary Education Facilities
 Professional Office
 Public Primary Education Facilities
 Public Secondary Education Facilities
 Religious Assembly
 Retirement Housing (Small Site)
 Short-Term Rental
 Single-Family Attached Residential
 Single-Family Residential
 Small Lot Single-Family Residential
 Software Development
 Townhouse Residential
 Two-Family Residential
 Urban Farm

SITE DEVELOPMENT REGULATIONS

	TRACT A	TRACT B	TRACT C	TRACT D	TRACT E	TRACT F	TRACT G
Minimum Lot Size in s.f.	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Minimum Lot Width	30'	30'	30'	30'	30'	30'	30'
Maximum Height	40'	65' *	40' **	40' **	35'	40' **	60'
Minimum Setbacks from Public Streets							
Front Yard	10'	0'	10'	0'	10'	0'	0'
Street Side Yard	10'	0'	10'	0'	10'	0'	0'
Minimum Interior Yard Setbacks							
Interior Side Yard	0'	0'	0'	0'	0'	0'	0'
Rear Yard	0'	0'	0'	0'	0'	0'	0'
Maximum Floor Area Ratio	0.75:1	1.5:1	0.75:1	1:1	0.75:1	1:1	1:1

* Up to 10% of Tract B is permitted to be up to 75' in height.

** Height may be increased to a maximum of 60' for an Affordable Housing development with the Affordable Housing program. Height will be required to meet City of Austin compatibility standards.

Notes:

- Impervious cover, number of dwelling units, density, building coverage, and other site development regulations not listed per individual Tracts in the Site Development Regulations table shall be dealt with per a "bucket" system. Individual Tracts and/or Site Plans may vary above or below the listed limits, as long as the calculation for the overall 75.76 acre site does not exceed the limit. The Applicant is responsible for keeping track of the amounts allotted and remaining in the "bucket" with each application.
- Total residential units on the site is capped at 1515 dwelling units. Congregate living and affordable housing units do not count towards the 1515 unit cap.
- Overall project impervious cover is capped at 65%.
- The FAR maximums listed in the Site Development Regulations table apply to individual Tracts within the PUD and the FAR shall not be exceeded on an individual Tract basis but may be exceeded on an individual site plan within a Tract. Tackling the allotted and remaining FAR within each Tract is the responsibility of the Applicant.
- Parks and open space are allowed uses in all Tracts.
- Cocktail lounge uses are capped at 25,000 SF total and a maximum size of 7500 SF for any one tenant space.
- Liquor sales uses are capped at 15,000 SF total and a maximum size of 10,000 SF for any one tenant space.
- Live-work units are defined as residential units which are similarly configured to residential row houses or townhomes but are distinguished by a ground level workspace, studio, storefront, or business that is flush the with street.
- Driveway and trail locations shown on the Land Use Plan are approximate and will be determined at the time of Site Plan.
- Public art shall be installed in a minimum of three (3) locations throughout the project.
- Off-site Parking per 25-8-501 may be provided for a use located in any Tract within the PUD so long as the off-site parking is located in a Tract where Off-site Accessory Parking is a permitted use.

MASTER REVIEW REPORT

CASE NUMBER: C814-2015-0074

CASE MANAGER: Sherri Sirwaitis

PHONE #: 512-974-3057

REVISION #: 00

UPDATE: 2

PROJECT NAME: The Grove at Shoal Creek PUD Rezoning

SUBMITTAL DATE: September 29, 2015

REPORT DUE DATE: October 14, 2015

FINAL REPORT DATE: October 20, 2015

REPORT LATE: 6 DAYS

LOCATION: 4205 Bull Creek Road

DISTRICT: 10

STAFF REVIEW:

- This report includes all comments received to date concerning your site plan. The site plan will be approved when all requirements identified in this report have been addressed. However, until this happens, your site plan is considered disapproved.
- PLEASE NOTE: IF YOU HAVE ANY QUESTIONS, PROBLEMS, CONCERNS OR IF YOU REQUIRE ADDITIONAL INFORMATION ABOUT THIS REPORT, PLEASE DO NOT HESITATE TO CONTACT YOUR CASE MANAGER (referenced above) at the CITY OF AUSTIN, PLANNING AND ZONING, P.O. BOX 1088, AUSTIN, TX.

REPORT:

- The attached report identifies those requirements that must be addressed by an update to your application in order to obtain approval. This report may also contain recommendations for you to consider, which are not requirements.
- ADDITIONAL REQUIREMENTS AND RECOMMENDATIONS MAY BE GENERATED AS A RESULT OF INFORMATION OR DESIGN CHANGES PROVIDED IN YOUR UPDATE.

UPDATE DEADLINE:

- It is the responsibility of the applicant or his/her agent to update this site plan application. All updates must be submitted by 12/14/15 which is 180 days from the date your application was filed [Sec. 25-5-113]. Otherwise, the application will automatically be denied.
- If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

EXTENSION:

- An extension to the 180 day deadline may be requested by submitting a written justification to your case manager on or before 12/14/15. If this date falls on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.
- Extensions may be granted only when there are extenuating circumstances that could not have been reasonably anticipated when the application was submitted. Requests for extensions must clearly document why the additional time is needed.

Drainage Engineering Review - Beth Robinson 512-974-6312

Wednesday, October 7, 2015

DE1. It is recommended from the Watershed Engineering Division that the project provide volumetric flood detention in addition to matching the peak flow requirements for flood control.

Environmental Review - Jim Dymkowski 512-974-2707

Monday, October 12, 2015

UPDATE 2

EV 0 *Please be advised that additional comments may be generated as updated information is reviewed.*

EV 4 **UPDATE 2: Comment cleared.**

EV 8 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 17 acres. Please confirm 17 acre amount.
2. In Tier 1 and Tier 2 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.

UPDATE 1: Please provide your environmental superiority list for review. Comment pending.

UPDATE 2: The tier one and tier two comments still refer to the superior options for preservation and mitigation of the existing wetlands but staff has seen nothing else to explain how this is simply not meeting current code. Comment pending.

EV 9 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.

UPDATE 1: Please provide the revised code modification spreadsheet for review. Comment pending.

UPDATE 2: Modifying 25-1-23 is not the correct code section to handle spreading the proposed 65% allowable zoning impervious cover out over the entire PUD. Staff believes this can be done with a note in the lands use plan. Also, the request to modify 25-2-1006 visual screening is new with this update and should be revised for the following; 1. Any green infrastructure hardened outfalls and control structures should still be buffered from public ROW. 2. Staff does not agree with the request to not buffer certain types of development in the PUD from the adjacent residential neighborhoods. Comment pending.

NEW Comment:

EV 10 Please provide staff with the revised and noted Tree plan. This was not included in the re-submittal.

Heritage Tree Review - Keith Mars - 512-974-2755

HT1 Please provide a tree survey for trees 8" and greater in diameter.

Update #1: Comment pending ongoing meetings with the applicant.

Update #2: Please provide arborist report for trees onsite. Pending confirmation of tree condition per the private arborist rating.

HT2 Identify the exact language for the code modification regarding heritage tree removal.

Update #1: Comment pending ongoing meetings with the applicant.

Update #2: Comment pending revisions to specify heritage trees proposed for removal.

HT3 Identify exactly what trees are proposed for removal per the Proposed Code Modification Agreement #15.

Update #1: Comment pending ongoing meetings with the applicant.

Update #2: Comment pending revisions to specify heritage trees proposed for removal.

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

HG1- Update 0 Pursuant to LDC 25-8-121 or 30-5-121, please provide an Environmental Resource Inventory Report (ERI) that identifies all Critical Environmental Features, proposes protection, and is compliant with ECM 1.3.0.

HG1-Update 1 – ERI report was provide. On CEF wetland was identified by Horizon Environmental Services. One ephemeral spring was identified along Shoal Creek in the southwest corner of the site. The spring conduct is located about 8-ft above the creek bed on west bank of shoal creek. The feature does not meet criteria for spring CEFs because only one spring indicator is present – the precipitation of calcium carbonate. No measureable groundwater discharge or hydrophytic plants were observed.

HG1-Update 2 – Comment Cleared

HG2- Update 0 If CEFs are present on site, clearly show the boundaries of all Critical Environmental Features and clearly label the feature(s): “CRITICAL ENVIRONMENTAL FEATURE”

HG2 - Update 1 - Please provide a PUD exhibit that shows all CEFs and their associated setback (See HG 3),

HG2-Update 2 – Comment Cleared

HG3- Update 0 If CEF are identified on site, clearly show the boundaries of all CEF Buffers as a shaded or hatched area and clearly label the buffers: “CRITICAL ENVIRONMENTAL FEATURE BUFFER.” The standard buffer distances is 150-ft.

HG3-Update 1- Please provide a PUD exhibit that shows all CEFs and their associated setback as well as any wetland mitigation. The wetland mitigation should be provided at minimum 1:1 replacement of same square footage as wetland CEF and standard 150' buffer.

HG3-Update 2 – Comment Cleared – Exhibit Provided.

HG4- Update 0 If CEFs are identified on site and pursuant to LDC 25-8-281(C)(2)(a) or 30-5-121(C)(2)(a), please add a note stating that: "All activities within the CEF buffer must comply with the City of Austin Code and Criteria. The natural vegetative cover must be retained to the maximum extent practicable; construction is prohibited; and wastewater disposal or irrigation is prohibited."

HG4- Update 1 – This comment is withdrawn and will be incorporated into the comments for preliminary plan – C8-2015-01155.

HG5- Update 0 If CEFs are present on site, pursuant to LDC 25-8-281(C)(5) or 30-5-281(C)(5) and ECM 1.10.5, please add a note that states: "The CEF buffer must be maintained per City of Austin code and criteria. Existing drainage and native vegetation shall remain undisturbed to allow the water quality function of the buffer. Inspection and maintenance must occur semi-annually and records must be kept for 3 years."

HG4- Update 1 – The is comment is withdraw and will be incorporated into the comments for preliminary plan – C8-2015-01155 – Comment Cleared

HG6- Update 0 If CEFs are present on site, add a sheet that shows all CEFs and their associated buffer area and include a CEF table listing all CEFs that includes the following: a unique identification label, a physical description, GPS coordinates (latitude and longitude) in decimal degrees referenced to the WGS 1984 datum, CEF buffer distance, mitigation associated with CEF.

HG4- Update 1 – This comment is withdrawn and will be incorporated into the comments for preliminary plan – C8-2015-01155. – Comment Cleared

HG7- Update 0 If CEFs are present on site, Erosion and sedimentation controls must be provided for CEF buffers located adjacent to the limits of construction.

HG4- Update 1 – The is comment is withdraw and will be incorporated into the comments for preliminary plan – C8-2015-01155 – Comment Cleared

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

UPDATE 2:

PR1: PARD continues discussions on amount of parkland and amenities needed for superiority.

U1: 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. Land desired includes land currently shown along Shoal Creek and connections along the north side of the property to Bull Creek Road at 45th and on the southeast side of the property to Bull Creek Road to form a greenbelt buffer that would provide neighborhood access to the park. 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.

PR2: Cleared.

PR3: Discussions will continue on PUD language related to timing of land dedications.

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

Monday, October 19, 2015

SP 1. Comment cleared

SP 2. Comment cleared

SP 3. If structures are proposed in excess of sixty feet in height, schematic drawings shall be provided which illustrate the height, bulk and location of such buildings and line of sight analyses from adjoining properties and/or rights-of-way. See submittal requirements. *U1 – Pending meeting U2 - Pending*

SP 4. –SP 9 Comments cleared

SP 10. 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. *U1 – The list of code modifications was not included in this reviewer’s update. U2 – Please consider including a height limit buffer around the perimeter of the site, as has been done on Tracts A and E.*

SP 11. 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). *U1 – The nonresidential setbacks are less than those required above. Please detail how this exceeds standard LDC requirements. U2 – Thank you for the clarification. Please provide more details on the following:*

Location of the cocktail lounge(s); a height map indicating tallest buildings in the center of the site (Tract B), with height step-downs to the perimeter; and whether any uses will be conditional.

SP 12. Comment cleared

SP 13. This site is within the bounds of the Rosedale Future Planning Area. *U1 – FYI*

<h2>Transportation Review - Bryan Golden - 512-974-3124</h2>
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TR1. *Comment cleared.*

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

U3: Comment pending Staff review. Comments may be provided via separate memo.

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.

U3: Comment pending Staff review. Comments may be provided via separate memo.

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.

U3: Comment pending Staff review. Comments may be provided via separate memo.

- 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.

U3: Please note the code section is 25-4-157. This comment will be cleared when connectivity determinations to 45th Street have been finalized.

- 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, and meet ADA and street cross section criteria that will be established in the Project Design Standards.

U2: Comment to be cleared with submission and approval of Project Design Guidelines. Revise Note #1 of "Roadway Framework Plan" to read "No streets, alleys or major vehicular circulation routes may be gated." Please also add a note referencing to be submitted Project Design Guidelines.

U3: Revisions have not addressed for the Roadway Framework Plan exhibit. All driveways, streets, etc, whether public or private, may not be gated and require public access easements. Please revise accordingly. Additionally, in order to meet subdivision block requirements, the proposed Major Vehicle Circulation routes must be dedicated public ROW or private streets (Note #2).

- 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.

U3: Comment pending Staff review. Comments may be provided via separate memo.

- 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.

U3: Comment pending Staff review. Comments may be provided via separate memo.

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.

U3: To meet subdivision block requirements, the proposed Major Vehicle Circulation routes must be dedicated public ROW or private streets (Note #2).

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).

U3: Response noted. Proposed improvements must be documented in the Land Use Plan as a PUD note.

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.

U3: *Comment cleared.*

a. *Comment cleared.*

b. 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).

U2: Add a note indicating all trails are to be built to Urban Trail Master Plan Standards on the Parks Plan Exhibit and sheet 2 of the Land Use Plan.

U3: Response noted. Proposed improvements must be documented in the Land Use Plan as a PUD note.

c. ***Revised:*** Discuss *the feasibility of additional frequency to the #19 bus line* with Capital Metro. These discussions will involve Development Services Department staff.

U3: Comment pending CapMetro agreement/documentation; to be provided as a PUD note.

- d. Improve existing bus stops along Bull Creek (amenities, signage, shelter, wayfinding).

U3: Comment pending CapMetro agreement/documentation; to be provided as a PUD note.

- e. 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.

U3: Comment pending final TIA recommendations.

- f. Provide public access to the Shoal Creek Trail from the south side of the 45th Street bridge at Shoal Creek.

U3: Comment will be cleared when a public trail access to 45th Street is noted in the Parks Plan exhibit.

- 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).

U2: Comment pending; ROW dedication for future trail/bicycle is needed, or dedication of a public easement. Alignment pending Master Framework Plan.

U3: Comment pending TR 6 and 9. Public right-of-way is required for access to Shoal Creek, future connections to adjacent properties, and compliance with subdivision block length requirements.

TR12. I.

Comments a-h cleared. To be addressed in TR 11.

- 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).

U3: Comment pending. This comment may be cleared by Nathan Wilkes.

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.

U3: PUD note has not addressed private driveways and trails. Please revise.

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.

U3: Comment pending Staff review. Comments may be provided via separate memo.

- 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).

U3: Comment pending Staff review. Comments may be provided via separate memo.

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.

U3: Note this requirement in the Parks Plan exhibit and/or Land Use Plan.

- 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.

U3: Comment pending Staff review. Comments may be provided via separate memo.

- 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).

U3: Comment pending Staff review. Comments may be provided via separate memo.

- 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.

U2: In fulfillment of the “superior” requirement, bicycle parking is suggested at 10% instead of the standard 5%.

U3: The TIA includes both PM and AM trip reductions for bicycle transit. Increased bicycle parking (at 10%) is necessary to achieve those reductions. Include as a PUD note.

- 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).

U3: *Duplicate comment. Comment cleared.*

- c. All multifamily developments shall incorporate bicycle cage parking for residents.
- U2: *Yes. Comment cleared.*

U3: This must be noted in the PUD/Land Use exhibit (TR 18 a.).

- d. *Comment cleared.*

- e. Shower facilities shall be incorporated into all commercial developments for the use of employees.

U3: *Comment cleared.*

- f. *N/A. Comment cleared.*

- g. *Comment cleared.*

- 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.

U3: Comment pending CapMetro agreement/documentation; to be provided as a PUD note.

- i. Improve existing bus stops along Bull Creek (amenities, signage, shelter, wayfinding).

U3: Comment pending CapMetro agreement/documentation; to be provided as a PUD note.

- j. *Comment cleared.*

U3: All agreed upon requirements require a note/language in the PUD Land Use plan.

TR19. I. Parking Structure Frontage

- a. *Comment cleared.*

- b. Service and loading areas shall incorporate art and landscaping to allow continuity of pedestrian oriented use and scale.

U3: Comment cleared.

U3: Comment cleared; comments addressed through Project Design Guidelines.

TR20. L. Accessibility

- a. *Comment cleared.*

- b. Sidewalks along private ICR's, driveways, and streets shall be ADA compliant.

U3: Comment pending Staff review. Comments may be provided via separate memo.

- c. *Comment cleared.*

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

AUSTIN TRANSPORTATION DEPARTMENT

BICYCLE AND PEDESTRIAN CONNECTIVITY COMMENTS

*Comments to be addressed through the Active Transportation Division of Austin Transportation Department (contact Nathan Wilkes or Nadia Barrera).

- R22. The Bicycle Master Plan has identified Bull Creek Road from 35th Street to Hancock as locations that should have protected bicycle lanes as part of the all ages and abilities bicycle network. As part of the work on Bull Creek related to the development the protected bicycle lane should be extended to logical terminus (Hancock to the north and 35/Shoal Creek Trail to the south)
- R23. We support a bike/ped crossing of Shoal Creek including alternatives to a “million dollar bridge” over Shoal Creek to provide the much needed east/west connection from Shoal Creek Boulevard to the proposed parks, trails, and amenities included in the development. A low water crossing may be an possibility.
- R24. For Bull Creek we are comfortable with transitioning the northbound bicycle lane to a 12’ wide off street trail if we pay attention to some important design details. We need to keep and improve the southbound bicycle facility on Bull Creek to at least a buffered bicycle lane so that Bull Creek is an all ages and abilities bicycle facility per the 2014 Bicycle Master Plan if we go with one-way bicycle lanes for Bull Creek. At signals and other intersecting streets we will want to look closely at the cross section to make sure the integrity of the bicycle facility is maintained.
- R25. We support a safe signalized access point to the north on 45th Street
- R26. Internal circulation in the development should have bicycle facilities per criteria in the Bicycle Master Plan (any higher speed/volume roadways should have protected bicycle lanes)
- R27. We support a connection of the Shoal Creek Trail to the south using parkland, street space, and other assets to make the connection.

Water Quality Review - Beth Robinson 512-974-6312

Wednesday, October 7, 2015

Please state if proposed roads are private or City of Austin maintained. The street cross-sections indicated rain gardens within the ROW. It should be noted that the City will only maintain rain gardens in the ROW that are only for ROW treatment. Please clarify if the roadways are public or private.

Zoning/Land Use Review - Sherri Sirwaitis - 512-974-3057

Update #2: October 9, 2015

- ZN1. What is the applicant proposing as the baseline zoning district(s) for the PUD? The staff understands that the City Council will continue the discussion to determine the baseline zoning for this property at the August 13, 2015 City Council meeting. However, the applicant did not submit what they believe should be the baseline zoning district (s), as they presented to the City Council on June 11, 2015, with this application. Why is this information not referenced in the application letter, on the Land Use Plan or in the Attachments?

Update #1 - 8/24/15: No information was submitted with the formal update to address or clear this item. In addition, the staff has been informed by Councilmember Pool's office that Ms. Pool will be of town on October 8, 2015. Councilmember Pool has requested that the discussion to determine the baseline zoning for this property be postponed to the October 15, 2015 City Council meeting.

Update #2 - 10/09/15: Thank you for the information concerning that applicant's proposal for the baseline zoning district(s) for the PUD that was submitted with Update #2. The baseline zoning district discussion was postponed indefinitely by the City Council at the October 8, 2015 City Council meeting. We will revisit this information as it comes back before the City Council in the future.

- ZN2. Where is the Land Use Summary Table for the PUD? What are the proposed minimum and maximum densities/acreages of single-family residential, multifamily residential, office, commercial and open space uses within the PUD? A Land Use Summary Table should be provided on the Land Use Plan for the PUD. The staff requires this information to review the densities of uses proposed for the PUD. The Educational Impact Statement forms included with this rezoning application indicate that will be a total of 1515 residential units. However this information does not designate whether these units will be multifamily or single-family residences. It simply states a mixture of apartment, condo and single family detached residences.

Update #1 - 8/24/15: A Land Use Summary Table is a requirement for a Planned Unit Development submittal. Again, the staff requires this information to review the densities of uses proposed to be developed within the PUD. Please provide a Land Use Summary Table on the Land Use Plan showing the proposed minimum and maximum densities/acreages of single-family residential, multifamily residential, office, commercial and open space uses within the PUD. Without this information, the staff will have to assume the maximum amount of residential and commercial densities that could be possibly be developed on each tract within the property.

Update #2 - 10/09/15: The staff received the applicant's request in Update #2 to "bucket" impervious cover, building coverage, density/FAR and dwelling units. The staff would like the applicant to explain how this "bucket" system is going to work/function in the PUD. How will this information be tracked during the development of the PUD?

The staff is concerned about the amount of cocktail lounge use that the applicant is proposing in the PUD. Why is the applicant requesting 25,000 sq. ft. of cocktail lounge use within the PUD?

The staff cannot support the applicant's request to not include congregate living and affordable housing units toward the overall 1515 dwelling unit cap in the PUD. Please explain the applicant's rational not to include these types of uses/development within the dwelling unit calculations that AISD has reviewed.

The staff understands the applicant's desire to be able to have flexibility for development within the PUD. However, the staff still requires specific guidelines/limits for the review of that proposed development.

- ZN3. Where is the approximate 17 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 PUD submittal for this property. The staff has reviewed the PUD Open Space Requirement Chart shown on the proposed Land Use Plan. How does the applicant know how much parkland/open space is required for this development if they do not provide a maximum amount of residential units/acreage to be developed for the PUD? Has the applicant discussed their request to waive parkland requirements (LDC- Parkland Requirements, Article 14, Chapters 25-1 and 25-4-211) with Marilyn Shashoua Lamensdorf (512-974-9372), in the Parks and Recreation Department?

Update #1 - 8/24/15: Please inform the zoning staff of the outcome of ongoing meetings with Marilyn Lamensdorf regarding the proposed Park Map Exhibit. It is my understanding that the proposed parkland/open space in the PUD has been reduced. From my conversation with PARD, at least three parks totaling at least 12 acres will be dedicated to the City (A Village Green, a Signature Park, and a Pocket Park). Where is the remainder of the proposed 17 acres of open space/parkland? The zoning staff cannot clear this comment until we receive approval/sign off on these changes from the City of Austin Parks and Recreation Department.

Update #2 - 10/09/15: The zoning staff has communicated with Marilyn Lamensdorf concerning the ongoing discussions between the applicant and PARD. Ms. Lamensdorf has stated that PARD has not agreed on what acreages can count toward parkland dedication and that PARD is continuing to meet with applicants and the neighborhood on how park superiority will be defined and reached. Again, the zoning staff cannot clear this comment until we receive approval/sign off on these changes from the City of Austin Parks and Recreation Department.

- ZN4. Why is the applicant asking to alter Compatibility Standards for the proposed PUD? The staff understands that the applicant is requesting cumulative zoning on Tracts B, C, D, F and G of the PUD. However, it appears that 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) within the PUD area. The applicant states that they request that the Code be modified [LDC Sec. 25-2-

1063(C)(2)] to allow for a height greater up to 75 feet and 5 stories measured 300 feet from an existing SF-5 or more restrictive zoning district or an existing use allowed in SF-5 or a more restrictive district and the applicant states that the Code be modified [LDC Sec. 25-2-1063(C)(2)] 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. These are two proposed modifications to the same section of the Code that state different information. Does the applicant intend the two proposed modifications of this section of the Code to apply to different/specific Tracts within the PUD? When the applicant speaks to existing SF-5 or more restrictive zoning and uses, do they mean the existing single-family zoning and uses adjacent to the PUD property? The applicant has already shown a no build setback and height restricted areas along the property line with the existing SF-3 development (Idlewild Neighborhood) to the southeast and a 50 foot height limit area along the property line with the existing SF-2 development (along 45th Street) to the north on the proposed land use plan. There is currently no SF designated zoning or single family uses existing within the proposed PUD property.

Update #1 - 8/24/15: Response received in Update #1 and the comment is cleared. The staff still has concerns about the more intensive uses that the applicant is proposing within the PUD. Why does the applicant want to permit as Automotive Rentals/Sales/Washing, Cocktail Lounge, Exterminating Services, Outdoor Sports and Recreation and Research uses in areas that also allow for single-family residential uses?

Update #2 - 10/09/15: Comment cleared previously through Update #1.

ZN5. The applicant states in the request that they are asking for modifications to Subchapter E (Design Standards and Mixed Use) and will provide their own Project Design Guidelines that will replace and supersede Subchapter E. What are the proposed Project Design Guidelines? Why was this information not included with the zoning/ PUD application submittal for review and consideration by the staff?

Update #2 - 10/09/15: The staff received the applicant's proposed Project Design Guidelines with the Update #2 submittal and requested a review of the document by the Urban Design staff. Here are the review comments provided by Tonya Swartzendruber, with Urban Design. We ask that the applicant provide a response to these concerns so that can complete our evaluation and make a recommendation on the Code modifications requested to Subchapter E (Design Standards and Mixed Use).

1. Pg. 6 – The first paragraph states that the Design Guidelines will be administered by the City of Austin. Who does this?
2. Pg. 11 – The map shows approximate locations of driveways. These should be minimized and aligned with existing drives where possible. Specifically Driveway 1 should align to the north with the drive across Bull Creek Road. Remove at least one of the following driveways, 3,4, or 5. In general driveways should not be located any closer than 330'.
3. Pg. 16-27 - Even though they will be privately maintained streets I wonder if ATD should take a look at these cross sections.
4. On all cross sections make sure that planting area that include street trees are a minimum of 6' wide.

5. **Pg. 25 – It should be stated that the alley is providing one-way access.**
6. **Pg. 31, Section 4.3.1.d & e, shade structures may not interfere with street trees at full maturity.**

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 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? Has the applicant met with Meghan Wells, with Art in Public Places in the Cultural Arts Division of the Economic Development Department (512-974-9314), to discuss this plan?

Where and what bicycle facilities will the applicant provide through the PUD project? Has the applicant met with Nadia Barrera, the Urban Trails Program Manager in Public Works (512-974-7142), to discuss her comments concerning proposed trail connections?

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 addition information about these proposed amenities.

Update #1 - 8/24/15: Please inform the zoning staff of the outcome of the meetings with Keith Mars, Meghan Wells and Nadia Barrera. The zoning staff cannot clear this comment until we receive approval/sign off from these review divisions.

Update #2 - 10/09/15: It is the zoning staffs understanding that there are still outstanding comments from Keith Mars regarding heritage tree preservation in this request. Again, the zoning staff cannot clear this comment until we receive approval/sign off from these review divisions.

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. The PUD Land Use Plan states that only up to 10% of Tract B will be permitted to have up to 75 feet in height. Where is this additional height proposed on Tract B? Why is an additional 15 feet in height only needed on 10% of 33.77 acres? Will this 10% area consist of one structure within Tract B?

The applicant is requesting to modify Compatibility Standards, LDC- Section 25-2-1064, to provide for a zero foot front setback along Bull Creek Road. Is this for the entire frontage of Bull Creek Road? Again 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). Is this no longer the case?

Update #1 - 8/24/15: The Update #1 submittal information is inadequate and does not answer the staff's questions. Please provide justification for the additional height and unlimited FAR on

Tract B. Please address why the applicant is requesting to have no (0) setbacks along the entire frontage of Bull Creek Road (in Tracts B, F and D).

Update #2 - 10/09/15: The staff understands from the most recent Update submittal, that the applicant is now proposing an FAR limit of 1.5 on Tract B. Yet as stated above, the applicant's is also requesting to "bucket" density/FAR over the entire site. The staff would like to know how this "bucket" system will affect development on the largest tract (Tract B) within the PUD. Please explain how the proposed "bucket" system is going to work/function in the PUD.

The staff would like to have specific regulations for the corner (residential) Tracts A and E in the PUD. The staff requires more definition on the how and where the maximum height will be measured on the site.

Please explain why the applicant is requesting a zero foot front setback along Bull Creek Road if the applicant's proposed Project Design Guidelines require a minimum 15 foot wide landscape setback along the entire Bull Creek frontage. The staff is concerned about intensive development being placed along the frontage of Bull Creek Road in areas that front existing single family residences across Bull Creek Road between W. 44th Street and W. 45th Street.

- ZN8. The staff sent the Education Impact Statement (EIS) information that was provided with this application to the Austin Independent School District for their review and comment. However, Melissa Laursen, with the Office of Planning Services, replied that AISD needs more information regarding the number/type of units proposed for this development in order to prepare an EIS. Please include this information with your formal update to the staff so that we can forward it to AISD for the EIS review that has been requested by the City Council. Ms. Laursen also stated that it would be helpful to know information on the proposed number and type of affordable units so that they can adequately address school capacities and services in this area.

Update #1 - 8/24/15: It is a requirement of the City Council that an applicant in a zoning case complete the Education Impact Analysis form so that the Austin Independent School District can review the number/type of residential units proposed so that they can evaluate the capacity of the surrounding schools and how the development will impact the school facilities that will provide services to the future residents of this site. Please provide the information concerning the proposed density for residential development in the PUD.

Update #2 - 10/09/15: The staff has received the EIS information from AISD based on the information that the applicant provided directly to AISD concerning the number/type of residential units proposed in the PUD development. Therefore, the information received from Melissa Laursen with AISD will be evaluated with the staff's review and the comment is cleared.

A formal update is required. Please provide a comment response letter with your update stating how each comment will be addressed; and submit 8 copies of the plans to INTAKE for distribution to each of the reviewers listed below and the case manager.

DE-DANIEL/ROBINSON

EV-DYMKOWSKI

HT-MARS

PR-LAMENSDORF

TR-GOLDEN

WQ-DANIEL/ROBINSON

ZN-SIRWAITIS

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Case Manager's Comments