

An RNA survey was conducted in early May 2016 in order to quantify what, if any, are the most important changes our neighborhood believes should be made to the current Grove at Shoal Creek plan in order to make it a “superior” development. These results do not replace the 2015 RNA position statement listing our top general concerns with the Grove development. These results refine our previous position with updated and more specific information.

The survey participation was very good, with 88 neighbors (from 61 different addresses) responding.

The Ridgelea neighborhood remains in support of a neighborhood scale mixed-use development at the Grove which follows the Imagine Austin design principles. However, the survey results show that a strong majority of the neighborhood recommends the current Grove development plan be modified to improve it. For example, only 2 of the 88 respondents recommended the current Grove plan be ratified by the city as is.

The most important changes believe needed by the Ridgelea neighborhood are summarized below.

### **1. Traffic and safety**

- Implement traffic Mitigation/Calming for Bull Creek Road, Oakmont, Allandale and Ridgelea to slow traffic and improve safety.
- Reduce allowable office space to reduce peak traffic.
- Require a comprehensive and permanent Transportation Demand Management (TDM) program that encourages residents and visitors to reduce vehicular trips.
- Complete the planned upgrades to Bull Creek & 45th intersection by Jan. 2019 instead of the proposed 2024 date.
- Limit any single retail/restaurant/commercial tenant to a maximum of 30,000 sf and focus commercial spaces on local serving scale businesses that do not generate significant amounts of non-local traffic.

### **2. Drainage from the Grove property**

- Install and maintain an effective drainage berm(s) and swale(s) in the no build zone behind Idlewild to prevent flooding and drainage problems in the neighborhood.

### **3. Noise control**

- Implement a Noise Mitigation Plan to minimize impact to surrounding neighbors during and after construction. The plan should address known high noise generators such as construction staging areas, construction and long-term loading/delivery areas. There should also be reasonable limits on days/hours for outdoor amplified music.

### **4. Parkland improvements (to address known parkland deficiencies in the surrounding neighborhoods)**

- Increase usable public space at the development by adding a community pool to increase community benefits and reduce vehicle trips by providing full range of park amenities within walking and biking distance.
- Increase usable public space by approximately two (2) additional acres to accommodate an unlit level, open playing field area.

Respectfully yours,

The Ridgelea Neighborhood Association Executive Committee

16 June 2016

Enclosed are amended PUD documents for

The Grove at Shoal Creek

Proposed by



The Bull Creek Road Coalition (BCRC) was formed in 2012 and is made up of residents in the six neighborhoods surrounding the 75 acre site now known as The Grove at Shoal Creek.

The BCRC proposes these amendments to the PUD application to accomplish the following:

- Ensure the PUD is compliant with Imagine Austin and the adopted Growth Concept Map
- Retain residential units in the PUD and encourage missing middle housing types
- Increase the on-site affordable housing
- Achieve reduced traffic with less entitlements for most intensive uses
- Convert regionally-scaled commercial to neighborhood-serving retail and office
- Remove unsafe, unstudied, and illegal road connection through existing home
- Increase community benefits with traffic and flood mitigation and greater public parkland
- Encourage multi-modal transportation with TDM and increased park connectivity

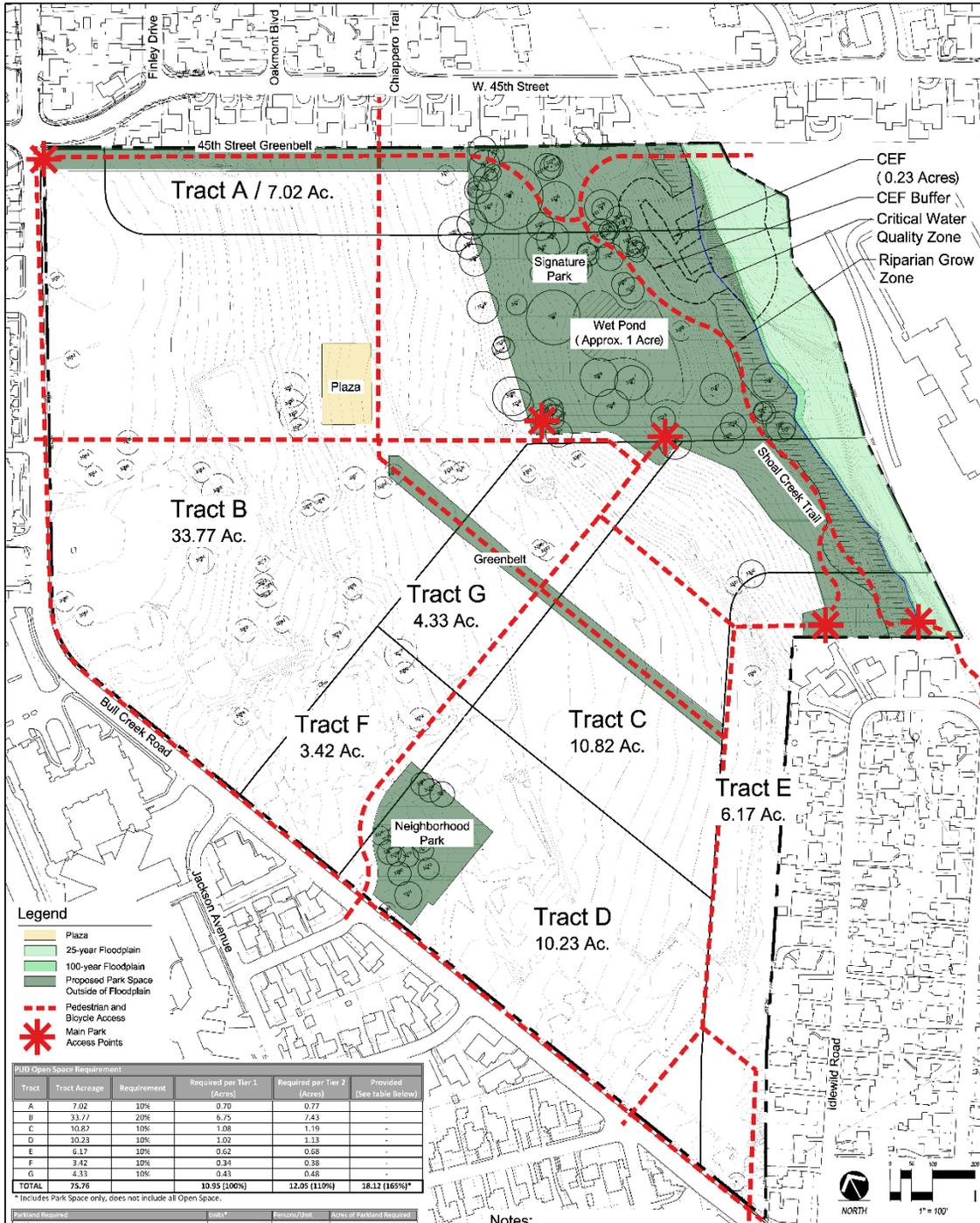
We believe these amendments, if incorporated into the PUD, will meet the staff recommendation's intent, provide greater compliance with Imagine Austin, achieve the City's policy priorities, allow for a successful and profitable project, and impart a development that will benefit the community and secure its support.

The BCRC respectfully requests that the Zoning and Platting Commission incorporate these proposed amendments in their recommendation to Council on The Grove at Shoal Creek PUD.

Thank you!

/s/Sara Speights, President

/s/Grayson Cox, Vice President



**Legend**

- Plaza
- 25-year Floodplain
- 100-year Floodplain
- Proposed Park Space Outside of Floodplain
- Pedestrian and Bicycle Access
- ✳ Main Park Access Points

Tract	Tract Acreage	Requirement	Required per Tier 1 (Acres)	Required per Tier 2 (Acres)	Provided (See table below)
A	7.02	10%	0.70	0.77	-
B	33.77	20%	6.75	7.43	-
C	10.82	10%	1.08	1.18	-
D	10.23	10%	1.02	1.13	-
E	6.17	10%	0.62	0.68	-
F	3.42	10%	0.34	0.38	-
G	4.33	10%	0.43	0.48	-
<b>TOTAL</b>	<b>75.78</b>		<b>10.95 (100%)</b>	<b>12.05 (110%)</b>	<b>18.12 (165%)*</b>

\*Includes Park Space only, does not include all Open Space.

Population	Units*	Families/Unit	Acres of Parkland Required
Residential	1,225	1.7	11,345.5
Non-Residential - Office/Industry	-	-	-

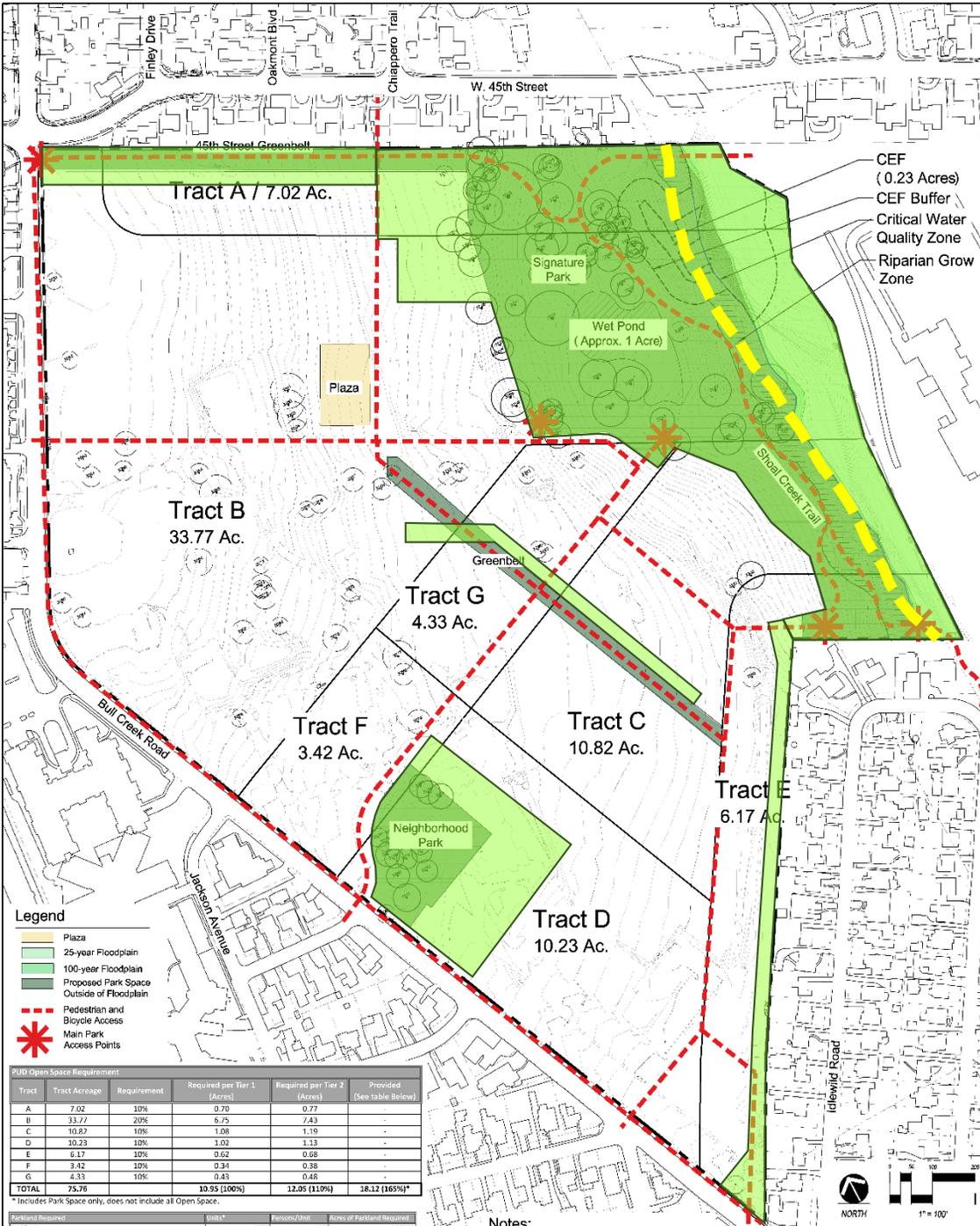
Park Space Provided	Approx. Size (Acres)	% Parkland Credit	Credited Parkland Acres	Open Space Acres
Signature Park (r 25' or Riparian) (Publicly Dedicated)	3.00	0%	0.00	3.00
Signature Park (r 100' or 2000 sq ft Publicly Dedicated)	0.25	50%	0.125	0.225
CEF or Signature Park (Publicly Dedicated)	0.23	0%	0.00	0.23
CEP surface as signature park (Publicly Dedicated)	0.21	0%	0.00	0.21
Water Quality Zone	0.24	0%	0.00	0.24
Open Space (Signature Park or Signature Park (Publicly Dedicated))	1.00	50%	0.50	1.50
Remainder of Signature Park (Publicly Dedicated)	7.39	100%	7.39	7.39
High School Park (Publicly Dedicated)	1.25	100%	1.25	1.25
High School Park (Publicly Dedicated)	0.67	100%	0.67	0.67
Greenbelt (Private/20' or Easement)	1.00	50%	0.50	1.50
Flex Park Space (Publicly Dedicated or Private/Public Easement)	3.00	100%	3.00	3.00
Flex Park Space (Publicly Dedicated or Private/Public Easement)	0.28	50%	0.14	0.28
<b>TOTALS</b>	<b>18.43</b>		<b>12.88</b>	<b>18.12</b>

Note: The Signature Park will be a minimum of 2.5 acres in size (including floodplain, CEF, etc.). All other park acreages are approximate. Total Credited Parkland for this project must be at least equal to the total shown in this table.

**Notes:**

- Flex Park Space may be provided anywhere on site with the following conditions:
  - Acreage may be added to the Signature Park, Neighborhood Park, or Greenbelt and be counted as Flex Park Space.
  - Flex Park Space acreage may be provided through one or more pooled parks that meet parkland dedication standards and are at least 10,000 SF in size (or less if approved by the Parks and Recreation Department). The parks may be publicly dedicated or private and open to the public by way of a recreation easement. If the parks are private, the acreage counts 50% towards parkland dedication.
- Plaza: Only areas of the plaza that are publicly accessible and designed for active recreation and community gathering may be credited as parkland. Appropriate parkland uses for the plaza include interactive water features, children's play features, performance areas, game areas, and areas designed for free and casual congregation. If final plaza design does not meet these standards, an additional 0.25 acres of parkland shall be provided under the Flex Park Space category.
- All park space shall be improved and maintained by the Applicant, as described in the Master Parkland Agreement.
- Park, trail, and pedestrian and bicycle access locations depicted in this exhibit are approximate and intended to demonstrate compliance with Tier 1 and Tier 2 requirements. Exact locations and boundaries will be determined at Site Plan.
- Trails in the PUD that are shown on the Austin Urban Trails Master Plan at the time of Site Plan shall be constructed per the standards of that plan. These trails must be within dedicated public easements or dedicated parkland.
- The Wet Pond will be designed as an amenity. Recreational uses shall be adjacent to and/or interact with the pond and users shall be able to approach the pond in multiple locations.
- Public parking shall be provided to serve the signature park. This may be on-street parking, garage parking, surface lots, or a combination thereof.

## The Grove at Shoal Creek Planned Unit Development Parks Plan Exhibit



- Legend**
- Plaza
  - 25-year Floodplain
  - 100-year Floodplain
  - Proposed Park Space Outside of Floodplain
  - Pedestrian and Bicycle Access
  - \* Main Park Access Points

Tract	Tract Acreage	Requirement	Required per Tier 1 (Acres)	Required per Tier 2 (Acres)	Provided (See table below)
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<b>TOTAL</b>	<b>75.78</b>		<b>10.95 (100%)</b>	<b>12.05 (11.0%)</b>	<b>18.12 (165%)*</b>

\*Includes Park Space only, does not include all Open Space.

Residential	Units	Families/Units	Acres of Parkland Required
Residential - All-Other - Single-Fam	1,225	1.71	11.34(5)

**Minimum Parkland and Open Space Compliance Table**

Park Space Provided	Approx. Size (Acres)	% Parkland Credit	Credited Parkland Acres	Open Space Acres
Signature Park (7.5± Acre) (Publicly Dedicated)	3.00	0%	0.00	3.00
Signature Park (7.10± or 2,000 sq ft) (Publicly Dedicated)	0.25	50%	0.125	0.225
CEF (Signature Park) (Publicly Dedicated)	0.23	0%	0.00	0.23
CEP Surface as Signature Park (Publicly Dedicated)	0.21	0%	0.00	0.21
Wet Pond (Water Quality Zone)	1.00	50%	0.50	0.50
Wet Pond (Water Quality Zone) in Signature Park (Publicly Dedicated)	1.00	50%	0.50	0.50
Remainder of Signature Park (Publicly Dedicated)	6.39	100%	6.39	6.39
Neighborhood Park (Publicly Dedicated)	3.75	100%	3.75	3.75
Greenbelt (Publicly Dedicated)	1.37	100%	1.37	1.37
Greenbelt (Private/For-Use-Only)	1.00	50%	0.50	1.00
South Greenbelt (Publicly Dedicated)	2.00	100%	2.00	2.00
Plaza	0.24	50%	0.12	0.12
<b>TOTALS</b>	<b>22.62</b>		<b>16.88</b>	<b>22.12</b>

Note: The Signature Park will be a minimum of 2.5 acres in size (including floodplain, CEF, etc.). All other park acreages are approximate. Total Credited Parkland for this project must be at least equal to the total shown in this table.

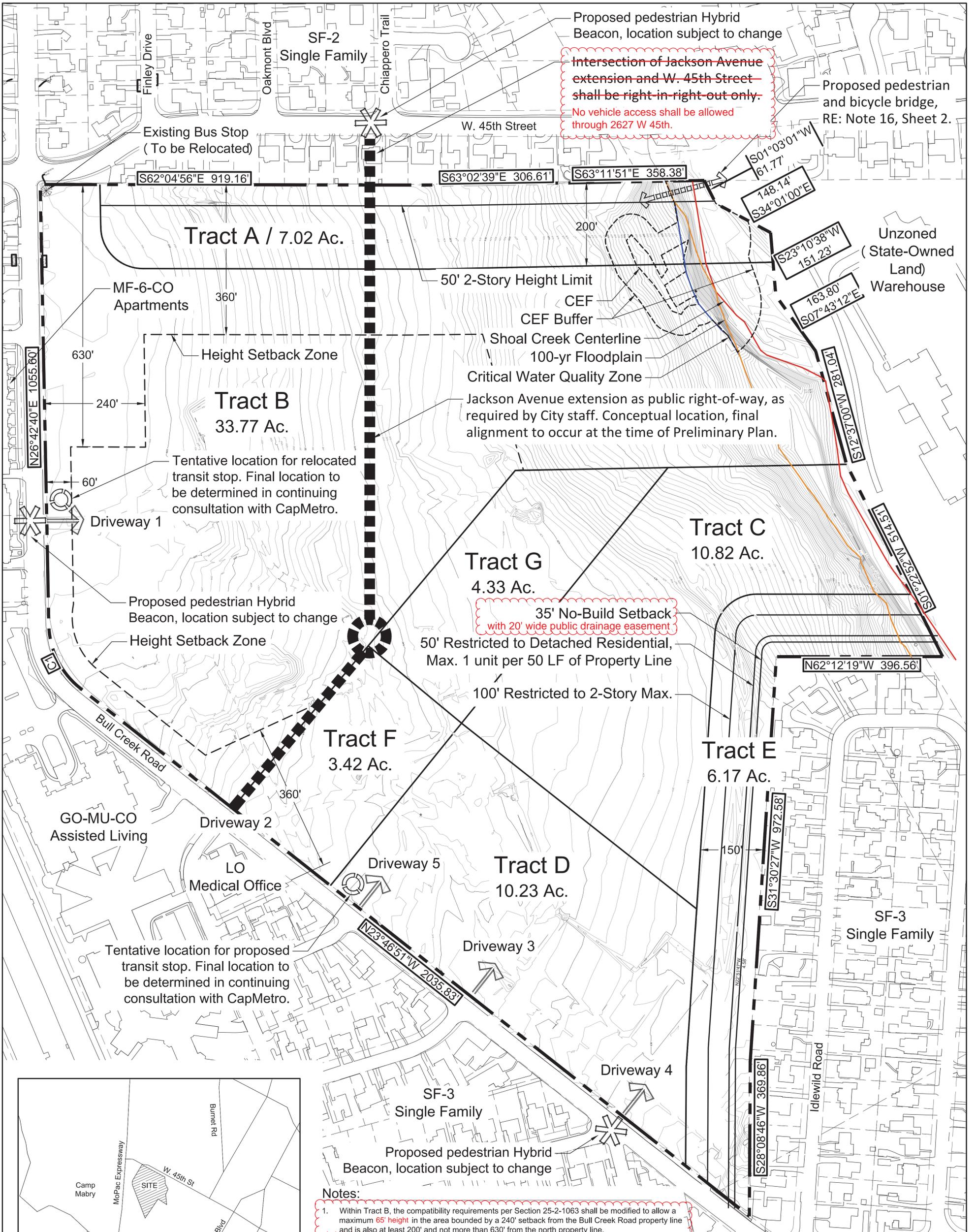
- Notes:**
- Flex Park Space may be provided anywhere on site with the following conditions:
    - Acreage may be added to the Signature Park, Neighborhood Park, or Greenbelt and be counted as Flex Park Space.
    - Flex Park Space acreage may be provided through one or more pooled parks. The most parkland dedication standards and goals of at least 10,000 SF in size (or less if approved by the Parks and Recreation Department). The parks may be publicly dedicated, privately owned and open to the public by way of a recreation easement. If the parks are private, the acreage counts 50% towards parkland dedication.
  - Plaza: Only areas of the plaza that are publicly accessible and designed for active recreation and community gathering may be credited as parkland. Appropriate parkland uses for the plaza include interactive water features, children's play features, performance areas, game areas, and areas designed for free and casual congregation. If final plaza design does not meet these standards, an additional 0.25 acres of parkland shall be provided under the Flex Park Space category.
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  - Public parking shall be provided to serve the signature park. This may be on-street parking, garage parking, surface lots, or a combination thereof.



- 0.5 acre added to north greenbelt, allow alleyway use within greenbelt
- 1 acre parkland added to "Signature Park" for protected tree preservation, more street frontage, more active recreation area
- Approximate expected erosion boundary, floodplain, or creek bank
- More accurate location of internal greenbelt
- 2.5 acres parkland added to "Neighborhood Park" for active recreation, potential off-leash area away from Shoal Creek, potential community pool, and more street frontage
- 2 acres parkland added for south greenway for increased trail connectivity to "Signature Park" and space along downstream property line for flood mitigation improvements

**Notes:**

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Proposed pedestrian Hybrid Beacon, location subject to change

~~Intersection of Jackson Avenue extension and W. 45th Street shall be right-in-right-out only. No vehicle access shall be allowed through 2627 W 45th.~~

Proposed pedestrian and bicycle bridge, RE: Note 16, Sheet 2.

Jackson Avenue extension as public right-of-way, as required by City staff. Conceptual location, final alignment to occur at the time of Preliminary Plan.

35' No-Build Setback with 20' wide public drainage easement

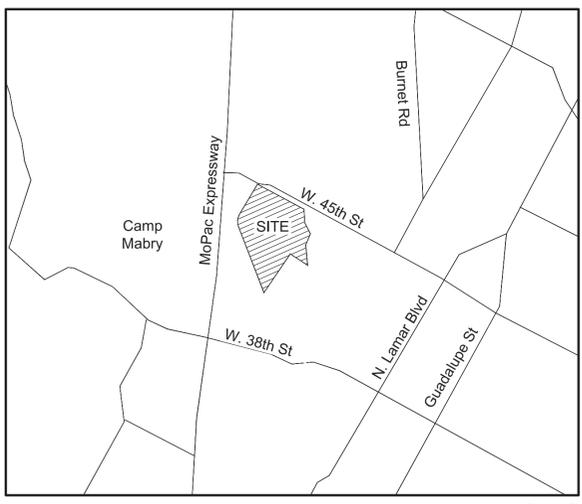
50' Restricted to Detached Residential, Max. 1 unit per 50 LF of Property Line

100' Restricted to 2-Story Max.

- Notes:**
- Within Tract B, the compatibility requirements per Section 25-2-1063 shall be modified to allow a maximum 65' 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 630' from the north property line.
  - No streets, internal drives, alleys, or major vehicular circulation routes may be gated.
  - All development on this site is subject to the Project Design Guidelines approved as part of this zoning case.

- Water Quality and Drainage Notes:**
- The project will provide flood mitigation for the 9.39 acres of existing impervious cover on the site which is not currently detained. The existing State office development does not have any detention or flood control facilities and current code does not require new development to mitigate for existing impervious cover. If the project participates in the RSMP, the RSMP fee will be paid as if the current 9.39 acres of impervious cover does not exist.
  - The project shall provide water quality controls through the use of a wet pond or green water quality controls 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.
  - A minimum of 10 acres of impervious cover on the site shall drain to and be substantially treated by Green Water Quality Controls, such as rain gardens, biofiltration facilities, and rainwater capture.

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.	CHORD
C1	199.11'	175.61'	50°32'01"	N01°24'51"E	169.97'



# The Grove at Shoal Creek Planned Unit Development

AMENDED Land Use Plan  
VERSION 2016-06-16

2121 E. Sixth Street, Ste 203  
Austin, Texas 78702  
P 512.900.7888  
F 303.892.1186



TRACTS A & E
Condominium Residential
Duplex Residential
Family Home
Group Home, Class I (Limited)
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

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
Family Home
Financial Services
Food Preparation
Food Sales
General Retail Sales (Convenience)
General Retail Sales (General)
Group Home, Class I (Limited)
Hospital (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
Family Home
Group Home, Class I (Limited)
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 D
Community Garden
Condominium Residential
Congregate Living
Duplex Residential
Family Home
Group Home, Class I (Limited)
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
Family Home
Financial Services
Group Home, Class I (Limited)
Hospital (General)
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

OPEN SPACE
Drainage, Detention & Water Quality Facilities
Trails (hiking trails, multi-use trails, pedestrian/bicycle bridges) and Related Improvements
Open Space (privately owned and maintained)
Parkland (City owned, may be privately maintained)

Notes:

- Impervious cover, number of dwelling units, and building coverage are not listed per individual Tracts in the Site Development Regulations table and shall be dealt with via 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. Applicants shall add a tabulation table (as adopted per this PUD ordinance) to each site plan and subdivision application submittal which will show the current standing of the overall Site Development Regulations. City Staff shall review the table provided with each application and verify that it is in accordance with the Site Development Regulations outlined in the PUD Land Use Plan.
- Total residential units on the site is capped at 1515 dwelling units (affordable housing units are included in this cap). Congregate living does not count towards this 1515 unit cap, and is limited to a maximum of 600 beds.
- Total multi-family residential units, that are not also condominium residential units, on the site are capped at 650 dwelling units. Congregate living and the first 250 affordable housing units do not count towards this 650 unit cap.
- Total office uses on site, including Administrative and Business Office, Medical Office, and Professional Office, are capped at 115,000 square feet.
- Total non-office commercial uses on the site are capped at 100,000 square feet and a maximum size of 30,000 square feet for any one tenant space.
- Overall project impervious cover is capped at 65% and overall project building coverage is capped at 55%.
- 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. Tacking 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 15,000 SF total and a maximum size of 7500 SF for any one tenant space. Additionally, cocktail lounge uses are not permitted within 300' of an SF-5 or more restrictive zoning district or properties on which uses permitted in an SF-5 or more restrictive zoning district are located.
- Liquor sales uses are capped at 15,000 SF total and a maximum size of 10,000 SF for any one tenant space.
- Hospital (General) uses are allowed only in association with Congregate Living, on the same site as Congregate Living, and are limited to a total of 65,000 SF.
- Live-work units are defined as residential units which are similarly configured to residential row houses or townhomes but are distinguished by a workspace, studio, storefront, or business that is flush with the street frontage. The non-residential portion of the unit shall be located on the ground floor only and the residential and non-residential areas must be used and occupied by the same owner or occupant.
- 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. A minimum budget of \$60,000 shall be spent on public art within the PUD site.
- Off-site Parking per 25-6-501 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.
- Proposed Pedestrian and Bicycle Bridge over Shoal Creek:
  - The applicant will post fiscal with the City of Austin for the construction of a bicycle and pedestrian bridge crossing Shoal Creek enabling a trail connection from the site to Shoal Creek Blvd. The amount of the fiscal shall be based on the Applicant's approved engineering cost estimate. Subject to City approval of the proposed bridge location (the City considering environmental, connectivity and other factors) the Applicant will construct the bridge and trail. If the City of Austin or the applicant is unable to secure an easement to allow for the construction of said bridge, the posted fiscal may be utilized by the City to complete other bicycle and pedestrian improvements in the area. The Applicant further agrees to provide easements, if needed, for future bicycle and pedestrian bridge crossings at both the northern and southern portions of Shoal Creek, whether or not the bridge described above is constructed.
  - Bridge location shown is approximate and subject to change. Bridge may be located elsewhere on site with City approval so long as it does not impact the wetland CEF or the portion of the wetland CEF buffer that is outside the 100-year flood plain.
- The project shall provide the following benefits to encourage alternative transportation options:
  - A minimum of one location shall be set aside for a B-cycle station, as coordinated with B-cycle (station to be installed by B-cycle when network is expanded to encompass project).
  - A minimum of 5 car-sharing parking spaces will be reserved on the site, subject to inclusion of the site in the coverage area of a car-share service.
  - All office buildings that are 10,000 SF or greater will provide shower and changing facilities meeting the requirements of Austin Energy Green Build Commercial Ratings (2013).
  - Bike parking will be provided for a minimum of 10% of all required vehicular parking spaces. Private garages serving a residential unit are considered to meet this requirement.
  - A minimum of two bus stops will be provided on Bull Creek Road. Each stop shall feature improvements including, at a minimum: a bench, a trash receptacle, and some form of shade located nearby (shade structure, bus shelter, trees, etc.). Bus stops should be approximately 25 feet in length by 10 feet in width and incorporated into the sidewalk. A larger area of approximately 15 feet in width (perpendicular to the road by 50 feet in length (parallel to the road) surrounding the stop should maintain a level slope to ensure that all ADA slope requirements are met.
  - All multi-family developments shall incorporate bicycle cage parking for residents.

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' <sup>(1)</sup>	40' <sup>(2)</sup>	40' <sup>(2)</sup>	35'	40' <sup>(2)</sup>	65'
Minimum Setbacks from Public Streets <sup>(4)</sup>							
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 <sup>(5)</sup>	0.75:1	1.5:1	0.75:1	1:1	0.75:1	1:1	1:1
Impervious Cover Maximum <sup>(5)</sup>	55%	NA <sup>(3)</sup>	NA <sup>(3)</sup>	NA <sup>(3)</sup>	55%	NA <sup>(3)</sup>	NA <sup>(3)</sup>
Building Coverage Maximum <sup>(5)</sup>	45%	NA <sup>(3)</sup>	NA <sup>(3)</sup>	NA <sup>(3)</sup>	45%	NA <sup>(3)</sup>	NA <sup>(3)</sup>
Maximum Residential Units	87	NA <sup>(3)</sup>	NA <sup>(3)</sup>	NA <sup>(3)</sup>	77	NA <sup>(3)</sup>	NA <sup>(3)</sup>

- A total of \$3 million shall be dedicated to funding the design and construction of off-site traffic mitigation and multi-modal improvements within 0.5 mile of the site as identified by the applicant's multi-modal study, agreed to by the City, and supported by the community association in which the proposed improvement is located, as appropriate. These funds may be contributed directly by the applicant and/or dedicated through tax increment financing and made available, in whole or part, no later than the final phase as defined in the approved Traffic Phasing Agreement.
- Applicant shall fund and implement a comprehensive and permanent Transportation Demand Management (TDM) program for all office and retail tenants, residents, and visitors with a target for 15% reduction in vehicle trips from these land uses as identified in the approved Traffic Impact Analysis. TDM program shall be implemented within 6 months of the completion of the final phase in the approved Traffic Phasing Agreement. TDM program effectiveness shall be measured a year after implementation in coordination with the Austin Transportation Department. If the TDM program is found to be 20% below the target trip reduction, the applicant shall contribute up to \$250,000 to transit improvements serving the site and surrounding neighborhoods as identified and approved by Capital Metro.
- The total unadjusted 24-hour trips for the site shall be capped at 18,000 trips. These unadjusted trips equate to an estimated adjusted trip total of 14,800 trips. These trip totals equate to the reduction in office and retail entitlements.
- The total number of affordable housing units shall exceed the SMART Housing program minimum requirements by 50% in order to qualify for any fee waivers allowed under the program.
- The minimum setback from Bull Creek Road is 25' in Tract D. Uses adjacent to Bull Creek Road in Tract D shall be restricted to residential meeting SF-3 development standards.
- The applicant shall provide and maintain an effective berm/swale system within the 20' wide drainage easement the full length of Tract G.
- The applicant shall prepare and implement a City-approved noise mitigation plan for both permanent and temporary uses and on-site activities including park events, amplified noise from retail and amphitheater, loading and delivery areas, and construction activities, especially these activities occurring adjacent to existing residential uses.

# The Grove at Shoal Creek Planned Unit Development

AMENDED Land Use Plan  
VERSION 2016-06-16

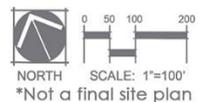
April 11, 2016



## The Grove at Shoal Creek Austin, Texas



## The Grove at Shoal Creek Austin, Texas





- Street through existing home at 2627 W 45<sup>th</sup> removed
- North greenway widened to 75 feet
- 1 acre parkland added to "Signature Park" for protected tree preservation, more street frontage, more active recreation area
- Replaced partial office with residential units (condos) – best views on the property!
- Replaced partial retail with residential units (apartments)
- 2.5 acres parkland added to "Neighborhood Park" for active recreation, off-leash area away from Shoal Creek, and more street frontage
- 2 acres parkland added for south greenway for increased trail connectivity to "Signature Park" and space along downstream property line for flood mitigation improvements

COMMERCIAL	
<span style="color: red;">■</span>	RETAIL
<span style="color: blue;">■</span>	OFFICE
<span style="color: grey;">■</span>	GARAGE PARKING
MULTI-FAMILY	
<span style="color: orange;">■</span>	MULTI-FAMILY
<span style="color: lightorange;">■</span>	CONDO
<span style="color: purple;">■</span>	CONGREGATE CARE
ATTACHED HOMES	
<span style="color: darkblue;">■</span>	SMALL TOWNHOUSE
<span style="color: teal;">■</span>	LARGE TOWNHOUSE
<span style="color: lightblue;">■</span>	LIVE / WORK
DETACHED HOMES	
<span style="color: yellowgreen;">■</span>	SMALL DETACHED SINGLE FAMILY
<span style="color: lightyellow;">■</span>	LARGE DETACHED SINGLE FAMILY

**Win - Win - Win**

- More parkland
- More active recreation
- More connectivity & park street frontage
- Better environmental protection
- Space for flood mitigation
- Residential units retained
- More missing middle housing
- More affordable housing
- Neighborhood-scale office/retail
- Less traffic from regional commercial
- More multi-modal improvements
- Greater compatibility
- Context appropriate mixed-use
- Major entitlements for profitable project

**From:** Lanith Derryberry

**Sent:** Friday, June 17, 2016 12:46 PM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** The Grove at Shoal Creek

Dear Commissioners,

First, we want to thank you all for serving all of the residents of the City of Austin as Zoning and Planning commissioners. It's not an easy task and we appreciate your service.

My wife, Linda, and I are 50-year residents of Austin, Texas, and we have lived in our home at 4100 Idlewild Rd for 44 of those years. Our home shares a propertyline with the new PUD being developed by ARG/Milestone known as The Grove at Shoal Creek, consequently we are extremely concerned about the development.

I know that you will soon be asked to consider whether this PUD is "Superior" or needs improvement in some areas. We urge you to weigh the evidence very carefully, because what you decide now will impact not only my neighbors and us, but you will also be setting legal precedent for all the unzoned tracts within the city that will be developed in the future.

This PUD suffers from a scale that is too large for the infrastructure available to support it.

1. Traffic. By the developer's own estimates traffic will increase by some 13,400 trips per day in the stretch of Bull Creek Road from 45 th Street southward to the planned entrance to the development, a distance of about a quarter mile. Most of that traffic will seek to turn left across Bull Creek Road into the project. Regardless of the proposed improvements to the intersection at Bull Creek Road and 45 th Street, there will be gridlock along that stretch. Factor in delivery trucks, Cap Metro buses, trash removal, and school buses and the problem exacerbates. Please insist on a more thorough explanation of traffic flow into and out of this PUD.

2. Density. Please keep in mind that density is only a good thing when supported by the infrastructure and PUD design. Kolkata, Manila, and Mexico City are all dense, but few Austinites would like to see their city become like them. The lack of existing transportation options and the extreme density of this PUD make this PUD inferior on the face of it. The proposed residential, office space, retail space, and bars all need to be scaled back to a level consistent with the site size. This PUD is proposing to create a "city" one-half the size of Elgin, Texas, on only fifty-six or so acres. Please think carefully whether this a "superior" design or simply desperate attempt to recoup an investment in land for which the developer over-paid by at least ten million dollars.

3. Parks and Environment. The Parks and Environmental Commissionshve already judged this PUD as "not superior" Creditable recreational areas in this PUD are lacking and "open

space" isn't the same thing as "park land". The entire line of trees in tract E running north to south behind the homes along Idlewild Road are at risk of being clear-cut. Two of those trees are healthy elms that are at least 100 years old. No PUD can be called "superior" that destroys such trees just to lower construction costs a few hundred dollars. Garrett Martin, himself, has said such trees were worth " ten to fifteen thousand dollars each" in added value to the lots he plans to sell. Gratuitous destruction of heritage trees is totally unacceptable, but unless you act, that's what is likely to happen.

4. Site Drainage and Flooding. The PUD as designed will increase impervious cover from 9 to about 50 acres( some estimates are as high as 80%of the tract) Tract E, immediately adjacent to the homes along the west side of Idlewild Road, currently includes a berm, built by the State of Texas to address serious surface flooding of Idlewild Road properties that occurred in the mid-nineties. When this tract is developed the berm will be removed, which will expose the Idlewild neighbors to the flooding threat again. The PUD does not address local flooding except to hand-wave a solution using terraforming and utility conduits as a drainage system. We ask for your help to see that adequate protections are built into this PUD to prevent recurrence of such disasters.

There are a lot more points to make and many in our neighborhood are making them in other e-mails. Once again we thank you for considering our comments and hope you will support reasonable amendments (such as those proposed by the BCRC which we support) to this PUD so as to assure its economic viability and compatibility with the surrounding neighbors.

Best regards,

Lanith and Linda Derryberry

4100 Idlewild Rd.

District 10

**From:** Ranleigh Hirsh

**Sent:** Friday, June 17, 2016 12:41 PM

**To:** Kiobassa, Jolene - BC; Denkler, Ann - BC; Weber, Thomas - BC; Aguirre, Ana - BC; Rojas, Gabriel - BC; Evans, Bruce - BC; Breithaupt, Dustin - BC; Lavani, Sunil - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Flores, Yvette - BC

**Cc:** Rivera, Andrew

**Subject:** The Grove - Traffic and 2627 W45th rezoning are NOT Superior

Zoning and Platting Commissioners,

I live 2 blocks from The Grove at Shoal Creek PUD. I am

a concerned Austinite with hope for a more compact and connected central Austin. A vision which is promoted by the Grove however woefully misguided with significant elements of "compact and connected" being swept aside by the Grove developer.

I am committed to Austin's future

growth and change

. I fully embrace

our

changes understanding that there must be compromises to get Austin better

situated. Imagine Austin sets a strong forward thinking vision of focused development along our major transit corridors that **do not in include Bull Creek Road** - a two lane collector road.

With your understanding of zoning issues in Austin, I hope you can see that the rezoning of the mid-block house at 2627 W45th from a single family home to a public street raises serious concerns for all landowners in Austin. The right in/right out driveway providing traffic flow from Jackson Ave to 45th Street was forced on city traffic engineers by the developer who purchased the property for the sole purpose of this unzoned use. Regardless of their wanton disregard for current city code the proposed driveway is wedge between two single family homes who have little or no protest rights since those rights are being denied by City Attorneys. The early design of the driveway provided by the developer simply **does not meet any city standards** for driveways or alleyways, conflicts with adjacent homes on the north and south sides of 45th street, poses dangerous situations for intersecting streets and does not support pedestrians who will not be connected to the development nor the public parks. It is clear that this proposed driveway will not adequately and safely fit on a narrow single family house lot along south side of 45th street where there are no sidewalks nor ROW left to create them. The Grove should remove this driveway through 2627 W45th.

Compact and connected should include bicycle, pedestrian and vehicle modes of traffic. Yet, the Grove seems to lose sight of multi-modal traffic at various places. It is as if the traffic flow was not well thought out for all modes causing last minute additions like the proposed but not fully funded pedestrian bridge to unacquired state land east of the creek to correct their oversight of unsupported northbound Bull Creek Road bicycles and pedestrian traffic in the developer's proposed designs for the intersection with 45th street. Likewise the traffic generated by this unprecedented in Austin development is forcing Bull Creek Road, a 2 lane residential collector road, into a 4 lane road, at times 5 line, with highly complex intersections to support the generated traffic. This development is well suited on a major transit corridors which Bull Creek Road are 45th street at this location are not.

The proposed traffic is 600% of the maximum traffic level prescribed in city code for residential collector streets.

The Grove should reduce traffic generating intensive commercial uses in favor of neighborhood-serving office and retail which generates less traffic from outside the immediate area. **This is no place for a Domain type development that attracts regionally across the Austin Metropolitan area.**

To fully support our City's compacted and connected vision, the Grove PUD should include traffic calming and multi-modal improvements in the adjacent neighborhoods as the developer's own multi-modal study demonstrates. The study highlights the need for millions of dollars of improvements to just meet the baseline on multi-modal. Just meeting the baseline.

Lastly, public transit options

at the Grove's location are not adequate to support a development of this size. Even if CapMetro bus 19 service is improved or added to there will be too much traffic on Bull Creek Road to support a high capacity line.

Please support Austin's compact and connected vision by considering BCRC's reasonable recommendations to this PUD which address many of the commonly held concerns regarding The Grove.

Thank you for your dedicated service to the citizens of Austin,

Ranleigh Hirsh

2624 W49th St

Austin, Tx

**From:** Roseanne Giordani

**Sent:** Friday, June 17, 2016 10:42 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiobassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** Please vote NO on the Grove PUD

Dear Zoning and Platting Commissioners,

I have lived on Idlewild for ten years, am a member of the Ridgelea Neighborhood Association and fully support the Bull Creek Road Coalition (BCRC). I have actively voiced serious concerns about this PUD to the developer, as well as to city staff, its boards and commissions. Please also know that I am an attorney and do a good bit of development in other regions of the country. Consequently, I have some real life experience.

Simply put, the density for the proposed PUD is too intense for this area. The developer is over-reaching by asking for this much square footage, particularly in the form of office, retail, restaurant and bar space. It is far too much intensity on far too little land - and far too much commercial usage, rather than residential for the surrounding area. It is not compatible. Austin

needs more housing, so approve a PUD allowing the Grove to build more housing – not one with a horrific amount of commercial/office space. Unfortunately, however, commercial usage with long term leasing of office space and large retail establishments is much more lucrative. And other than flat out greed, there is no basis for the Grove asking for this much development and this much commercial space. The Grove developers do not need this much intensity to achieve a reasonable (or even lucrative rate) of return on their investment. In short, the developers will make an exorbitant amount of profit at our city's expense and the expense of its neighbors and residents.

Believe me. The Grove is asking for a mind-boggling amount of development, and the City of Austin needs to take a hard look at this. The City does not have to agree to this much density. Period. It owes the Grove developers zero in additional entitlements. The Grove purchased the land without entitlements. They should only ask and receive an appropriately scaled PUD for this area - in size, use and scope. And not the one submitted, with its humungous and unworkable office, retail, restaurant and bar square footage. As proposed, this PUD will overburden our roads, land and city resources, plus it will create havoc with the neighboring communities, its side streets, intersections, as well as cause flooding of the surrounding neighborhoods and downstream Shoal Creek. Essentially, there is nothing superior in the Grove's offerings to allow this much in entitlements.

This property and the surrounding neighborhoods and roads can not handle the PUD's unconscionable amount of square footage: there are no major streets to handle the increased traffic, there is no clear plan to prevent increased runoff or flooding to Ridgelea and downstream areas during and after construction, and there is nothing in the PUD to mitigate noise, light pollution, air pollution or public safety to the subject area or surrounding neighborhoods.

In addition, there is insufficient parkland proposed in this PUD for the 4000+ new residents, and their pets and visitors, and the many additional workers and retail customers who will congregate and comprise this new community. Moreover, the existing neighborhoods already are underserved and deficient in parks and active recreational spaces. We will be in an even worse situation with the addition of 4000+ more new people and not enough useable, active, recreational parkland.

As an immediate downstream and downhill neighbor of the Grove, the 80% impervious cover for the proposed PUD right behind our homes is scary and shocking from a public safety perspective. Our properties already flood due to runoff from the land. If the city allows such intense development, a dangerous situation will be created. There is no doubt in my mind that the Grove development will cause intense flooding in central Austin and be the cause of multi-millions of dollars worth of damage to property, roads, infrastructure and businesses. Don't let

this happen. We do not need a repeat of the dangerous flooding recently experienced in Houston, Austin, San Antonio, Dallas and surrounding areas.

We need a panel of independent experts to determine the consequences of such a high percentage of impervious coverage on this many acres of virgin land. The city must create this panel – it is that important! We need a superior drainage plan behind Idlewild Road than what is currently proposed. One that is proven and reviewed by independent experts, not engineers retained by the developer. We need acreage and room to bolster the current berm/swale system behind our houses. We need to keep as much of the virgin land behind Idlewild and 45<sup>th</sup> Street with its mature deeply rooted vegetation intact to help absorb the water. We need a city easement behind Idlewild to preserve our right to a quick mitigation when this level of impervious coverage will exacerbate the flooding we already constantly endure.

Please know that the neighborhood has proposed to the Grove a solution to help mitigate flooding and satisfy some of the park requirements. But they will not listen. We suggested a wide, spacious, active, sun-filled greenway between the Grove and the Ridgelea neighborhood to act as a contingency between the development and the Ridgelea neighborhood to allow space to add multiple berms and swales to protect us from water. This greenway will double as an inlet to the park for access to the Grove's proposed "signature" park. Currently, the Grove's park is a defacto "private" park as it does not allow widespread, free movement from the surrounding neighborhoods. Plus the Grove wants to control the park. Seriously, the "signature" park will be the Grove's park and eventually become an extension of the commercial space for its retailers, restaurants and bars. In the alternative, a wide, active greenway could connect pedestrians – walkers, bikers, people with disabilities, school children, and the elderly - from both near Bull Creek and 40th and from Bull Creek and 45th street directly to the project park. This will increase accessibility, usability, activity, and safety. It also will provide an alternate route for folks to go from 40th and Bull Creek to 45th and Bull Creek, avoiding heavily trafficked Bull Creek Road.

Lastly, no residential neighborhood needs 15,000 square feet of bars – such space will quickly be a destination for both local and more distant car drivers. Too many bars will lead to unsafe conditions for local residents. Ridgelea is a quiet, modest family neighborhood and we fear the noise and cars and bar customers who will frequent its roadways and disrupt our homes during the late night hours.

To conclude, this development needs SIGNIFICANT downsizing to be a truly viable, comfortable neighborhood. As currently submitting, this development is about four times the size it should be. No joke. It is quadruple what it should be. Please consider what this type of unfettered density will do to the neighborhood and to the city as a whole, and the challenges it presents to people living nearby and all those workers using 38<sup>th</sup> Street, 45<sup>th</sup> Street, Bull Creek and MoPac to get to and from work each day. And most importantly, I am truly worried about the flooding such amount of impervious acreage will create. Protect us.

Please listen and vote against this PUD.

Thank you very much for your time and consideration!

Roseanne Giordani

4107 Idlewild Road

Austin, TX 78731

**From:** Melba Whatley

**Sent:** Friday, June 17, 2016 10:18 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** Grove PUD

#### GENERAL

- I am a neighbor of the PUD proposal called the Grove at Shoal Creek.

- Please support the BCRC's reasonable recommendations for amendments to this PUD which will address many of the commonly held concerns regarding The Grove. These amendments are intended to meet the goals of Imagine Austin, respect the transportation limitations and context of the site, but to also embrace the City's need for affordable housing and middle-income housing in this part of Austin.

- We are NOT against any and all development on this site. Rather, we want to support superior development that includes abundant housing and neighborhood-serving retail while incorporating priority community benefits like superior parkland and traffic mitigation. We can accomplish all of these things in a profitable development with ZAP's support for the neighborhoods' positive and reasonable amendments to The Grove PUD.

#### SCALE AND INTENSITY

- The office/retail portion of the proposed Grove PUD is a large town center-sized development. According to Imagine Austin, this intensity of development should only be allowed on major transportation arterials, not on a two-lane neighborhood collector street surrounded by residential streets and homes. A regional customer and employee base will be required to support this large commercial center as evidenced by the multiple large parking structures proposed by the developers. The Grove PUD should be amended to include only neighborhood-serving commercial conforming to Imagine Austin.

- The Grove PUD as proposed is more than double the scale of The Triangle which is bound by three arterials and abundant transit. The Grove PUD is triple the scale of Crestview Station which directly accesses Lamar, the MetroRail, and other high-capacity transit options. The intensity of the proposed Grove development needs to consider the site's limited street and transit connectivity as envisaged by Imagine Austin which calls for locating intense development on activity corridors where transportation options are easier to scale up to meet demand. This is not possible or prohibitively expensive in the middle of single-family neighborhoods where The Grove site is located.

- The City staff agrees that the developer's proposal included too much development on this site considering its limitations. However, the staff recommendation includes an overall building square footage cap and a reduction in the *least* intensive uses proposed for the site. The Grove PUD should be amended to reduce the most intensive commercial entitlements proposed in the PUD rather than an overall cap.

- The surrounding neighborhoods strongly support on-site affordable housing and abundant "missing-middle" housing types for this PUD. The Grove's developer has committed to providing the minimum-required affordable housing to grant significant City fee-waivers; however, The Grove PUD should be amended to require more than just the minimum affordable housing to access these financial benefits from Austin taxpayers.

- The Grove PUD includes an allowable 15,000 square feet of bars which is not compatible with the residential uses surrounding and within the proposed development. Bars are also allowed to be 3 times louder than restaurants which, again, is not compatible with the surrounding land

uses. The Grove PUD should be amended to reduce this “cocktail lounge” entitlement to a square footage that allows only one or two neighborhood-sized drinking establishments.

- The Grove PUD allows retail establishments up to 47,500 square feet in size which could accommodate regionally big-box retailers and larger grocery stores which are not appropriate or supportable by the surrounding residential streets. The Grove PUD should be amended to limit single retail tenants to 25,000 square feet to encourage neighborhood-serving establishments that will generate less regional traffic demands.

## TRAFFIC

- The traffic generated on residential streets by The Grove PUD is unprecedented in Austin. City staff has been asked to provide examples of where neighborhood collector and local residential streets have been allowed to have this much traffic, and no example can be found.

- The Grove PUD is expected to add 19,400 vehicle trips a day to the 7,000 already using 2-lane Bull Creek Road which travels through three residential neighborhoods north and south of The Grove site. There is no way to get to or from The Grove site without traveling through adjacent low-volume residential streets.

- The Grove’s proposed traffic is 600% the maximum traffic level prescribed in the City code for residential collector streets like Bull Creek Road and over 400% the maximum traffic level per City Code for Jackson Avenue. The approval of these code exceedances in traffic is unprecedented in Austin.

- The Grove PUD should be amended to reduce the allowable trip counts from the most intensive commercial uses in favor of neighborhood-serving office and retail which will naturally generate less vehicle trips from outside the immediate area.

- The overflow of traffic in the adjacent neighborhoods, which is unavoidable, is compounded by the design of the 1940’s and 50’s residential streets which lack sidewalks and bicycle accommodations. Doubling, tripling, or more the traffic on these streets creates an unsafe situation for the families and children who live on these streets.

- The Grove PUD includes zero off-site traffic calming and multi-modal improvements in these adjacent neighborhoods although the developer’s own multi-modal study identified millions in

needed and desired improvements. The PUD should be amended to include at least \$3 million in funding for off-site traffic calming and multi-modal improvements with the cost shared by the developer and future tax-increment financing from the development.

- The Grove PUD includes an extension of Jackson Avenue through an existing single-family home which will be demolished to enable a new mid-block intersection to 45<sup>th</sup>. This new collector street from 35<sup>th</sup>/Mopac to 45<sup>th</sup> has NOT been studied for its impacts to the traffic network and adjacent neighbors even though staff has said the street will have “profound impacts” to area traffic.

- The Grove PUD proposes a “right-in/right-out” intersection at 2627 W 45<sup>th</sup>, but the preliminary design provided does not meet ANY City standard and conflicts with adjacent home driveways and other intersecting streets. The proposal will create an extremely dangerous situation for the proposed pedestrian/bicycle crossing at this location, existing 45<sup>th</sup> traffic, and residents getting in/out of their driveways and adjacent neighborhood streets. City staff has only been able to find a Taco Cabana driveway as an example of this type of intersection design in Austin which serves a fraction of the traffic The Grove will generate. It is also apparent that such an intersection will not adequately and safely fit on the SF-2 house lot. The Grove PUD should be amended to remove this street through 2627 W 45<sup>th</sup> for these and other reasons.

- The transit available at The Grove’s site is not adequate to support the significant development proposed. The nearest high-capacity transit is over a mile away on Lamar Blvd, and the bus service on Bull Creek Rd is not easily scaleable since the street begins and ends in single-family neighborhoods. The Grove PUD should be amended to require transit ridership “triggers” for future build-outs and an aggressive Transportation Demand Management (TDM) program that includes hard targets for multi-modal trips by office and retail employees.

## **PARKS AND DRAINAGE**

- The Grove PUD’s parkland proposal is inadequate to serve the many needed uses: protection of sensitive environmental features on the site, preservation of the magnificent heritage groves, restoration of the rapidly-eroding Shoal Creek banks, accommodating flood-control provisions for immediate downstream neighbors and the entire flood-prone watershed, and active recreation for the thousands of existing and new residents.

- The Grove’s parks were found to be “not superior” by City staff, the Parks Board, and insufficient by the Environmental Commission. Parkland is a top priority for the neighborhoods

surrounding the site since this area is identified as park deficient by the City. The Grove PUD should be amended to include an additional 4 to 6 acres of dedicated parkland that adds active recreation space, greater street frontage for security, increased preservation of sensitive areas, and room for flood mitigation features along the south and east of the site.

- The Grove's site includes some of the most magnificent heritage oak groves in central Austin and all efforts should be made to preserve and protect these trees for the enjoyment of future generations. The Grove PUD proposes to only protect the 75% critical root zone and concentrate active recreation around these trees which has proven to damage and ultimately destroy similarly beloved trees in other developments. The Grove PUD should be amended to include protection of the 100% critical root zone and additional active recreation parkland to help protect this invaluable natural feature in central Austin.

- The Grove PUD will add nearly 50 acres of impervious cover to an already flood-prone watershed. Millions of dollars' worth of property damage and lives have been lost due to Shoal Creek flooding. The PUD commits to meeting only one of two minimums in the City Code – on-site peak-flow detention of storm water OR contributing \$950,000 fee-in-lieu of on-site detention. Either of these options alone are not superior. The Grove PUD should be amended to allow the City to require BOTH of these options to mitigate the increase on storm water flows and help fund erosion mitigation improvements on Shoal Creek within the site.

Melba and Ted Whatley

**From:** wendy salome

**Sent:** Friday, June 17, 2016 10:02 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** Let's do this right! TRUE Superiority

Dear ZAP commissioners:

Once last email you all of you. Thank you for your patience in hearing my deep, deep concerns about the development, The Grove at Shoal Creek.

I am a long-time resident of Shoalmont, in a home that is approximately 1000 feet away from this development.

My last request is that the ZAP commission recognize the profound importance of their decisions in this matter. It was recently announced that two other huge parcels of state land will be up for sale, just as this land was sold to Milestone a few years back

What you decide, the expectations that you create, this will without a doubt set a precedence for future developments JUST LIKE this one.

We literally have ONE CHANCE to get this right.

I \*know\* the developer is in a hurry and feels like they are compromising.

But your job is NOT to please the developer. Your job is NOT to determine if this development is "ok".

PLEASE ask yourself what it means to be **superior** and then ask yourself if The Grove meets those expectations. Literally nothing else matters. Not how much money the developer paid, not how much money the developer is losing while trying to get the land zoned, not how unhappy the neighbors are about it. Just the simplest of questions: Is The Grove at Shoal Creek **superior** in every way and thus deserving of the PUD designation?

I can't fathom how anyone could answer yes to that question in good conscience.

Again, I deeply appreciate your time and patience and willingness to listen.

Wendy Salome

2610 Pembroke Trail

512-809-0976

**From:** Joe Zeinner

**Sent:** Friday, June 17, 2016 8:50 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiobassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** Please support BCRC recommendations re: The Grove @ Shoal Creek

Hello,

We are neighbors of the PUD proposed development called the Grove at Shoal Creek.

The corporation that purchased this tract over-paid by an estimated **\$17,000,000** according to appraisers at the time of auction. They are attempting to recoup this poor business decision on the backs of Austin heritage neighborhoods and limited infrastructure. At 7-9000 trips/day between 35th and 45th streets, Bull Creek Road is already 100% over it's planned capacity. The Grove, as proposed, will add an additional **19,000** trips on to this already congested street.

Please support the BCRC's reasonable recommendations for amendments to this PUD which will address many of the commonly held concerns regarding The Grove. These amendments are intended to meet the goals of Imagine Austin, respect the transportation limitations and context of the site, but to also embrace the City's need for affordable housing and middle-income housing in this part of Austin.

We are NOT against any and all development on this site. Rather, we want to support superior development that includes abundant housing and neighborhood-serving retail while incorporating priority community benefits like superior parkland and traffic mitigation. We can accomplish all of these things in a profitable development with ZAP's support for the neighborhoods' positive and reasonable amendments to The Grove PUD.

## **SCALE AND INTENSITY**

- The office/retail portion of the proposed Grove PUD is a large town center-sized development. According to Imagine Austin, this intensity of development should only be allowed on major transportation arterials, not on a two-lane neighborhood collector street surrounded by residential streets and homes. A regional customer and employee base will required to support this large commercial center as evidenced by the multiple large parking structures proposed by the developers. The Grove PUD should be amended to include only neighborhood-serving commercial conforming to Imagine Austin.

- The Grove PUD as proposed is more than double the scale of The Triangle which is bound by three arterials and abundant transit. The Grove PUD is triple the scale of Crestview Station which directly accesses Lamar, the MetroRail, and other high-capacity transit options. The intensity of the proposed Grove development needs to consider the site's limited street and transit connectivity as envisaged by Imagine Austin which calls for locating intense development on activity corridors where transportation

options are easier to scale up to meet demand. This is not possible or prohibitively expensive in the middle of single-family neighborhoods where The Grove site is located.

- The City staff agrees that the developer's proposal included too much development on this site considering its limitations. However, the staff recommendation includes an overall building square footage cap and a reduction in the *least* intensive uses proposed for the site. The Grove PUD should be amended to reduce the most intensive commercial entitlements proposed in the PUD rather than an overall cap.

- The surrounding neighborhoods strongly support on-site affordable housing and abundant "missing-middle" housing types for this PUD. The Grove's developer has committed to providing the minimum-required affordable housing to grant significant City fee-waivers; however, The Grove PUD should be amended to require more than just the minimum affordable housing to access these financial benefits from Austin taxpayers.

- The Grove PUD includes an allowable 15,000 square feet of bars which is not compatible with the residential uses surrounding and within the proposed development. Bars are also allowed to be 3 times louder than restaurants which, again, is not compatible with the surrounding land uses. The Grove PUD should be amended to reduce this "cocktail lounge" entitlement to a square footage that allows only one or two neighborhood-sized drinking establishments.

- The Grove PUD allows retail establishments up to 47,500 square feet in size which could accommodate regionally big-box retailers and larger grocery stores which are not appropriate or supportable by the surrounding residential streets. The Grove PUD should be amended to limit single retail tenants to 25,000 square feet to encourage neighborhood-serving establishments that will generate less regional traffic demands.

## **TRAFFIC**

- The traffic generated on residential streets by The Grove PUD is unprecedented in Austin. City staff has been asked to provide examples of where neighborhood collector and local residential streets have been allowed to have this much traffic, and no example can be found.

- The Grove PUD is expected to add 19,400 vehicle trips a day to the 7,000 already using 2-lane Bull Creek Road which travels through three residential neighborhoods north and south of The Grove site. There is no way to get to or from The Grove site without traveling through adjacent low-volume residential streets.

- The Grove's proposed traffic is 600% the maximum traffic level prescribed in the City code for residential collector streets like Bull Creek Road and over 400% the maximum traffic level per City Code for Jackson Avenue. The approval of these code exceedances in traffic is unprecedented in Austin.

- The Grove PUD should be amended to reduce the allowable trip counts from the most intensive commercial uses in favor of neighborhood-serving office and retail which will naturally generate less vehicle trips from outside the immediate area.
- The overflow of traffic in the adjacent neighborhoods, which is unavoidable, is compounded by the design of the 1940's and 50's residential streets which lack sidewalks and bicycle accommodations. Doubling, tripling, or more the traffic on these streets creates an unsafe situation for the families and children who live on these streets.
- The Grove PUD includes zero off-site traffic calming and multi-modal improvements in these adjacent neighborhoods although the developer's own multi-modal study identified millions in needed and desired improvements. The PUD should be amended to include at least \$3 million in funding for off-site traffic calming and multi-modal improvements with the cost shared by the developer and future tax-increment financing from the development.
- The Grove PUD includes an extension of Jackson Avenue through an existing single-family home which will be demolished to enable a new mid-block intersection to 45<sup>th</sup>. This new collector street from 35<sup>th</sup>/Mopac to 45<sup>th</sup> has NOT been studied for its impacts to the traffic network and adjacent neighbors even though staff has said the street will have "profound impacts" to area traffic.
- The Grove PUD proposes a "right-in/right-out" intersection at 2627 W 45th, but the preliminary design provided does not meet ANY City standard and conflicts with adjacent home driveways and other intersecting streets. The proposal will create an extremely dangerous situation for the proposed pedestrian/bicycle crossing at this location, existing 45<sup>th</sup> traffic, and residents getting in/out of their driveways and adjacent neighborhood streets. City staff has only been able to find a Taco Cabana driveway as an example of this type of intersection design in Austin which serves a fraction of the traffic The Grove will generate. It is also apparent that such an intersection will not adequately and safely fit on the SF-2 house lot. The Grove PUD should be amended to remove this street through 2627 W 45<sup>th</sup> for these and other reasons.
- The transit available at The Grove's site is not adequate to support the significant development proposed. The nearest high-capacity transit is over a mile away on Lamar Blvd, and the bus service on Bull Creek Rd is not easily scaleable since the street begins and ends in single-family neighborhoods. The Grove PUD should be amended to require transit ridership "triggers" for future build-outs and an aggressive Transportation Demand Management (TDM) program that includes hard targets for multi-modal trips by office and retail employees.

## **PARKS AND DRAINAGE**

- The Grove PUD's parkland proposal is inadequate to serve the many needed uses: protection of sensitive environmental features on the site, preservation of the magnificent heritage groves, restoration

of the rapidly-eroding Shoal Creek banks, accommodating flood-control provisions for immediate downstream neighbors and the entire flood-prone watershed, and active recreation for the thousands of existing and new residents.

- The Grove's parks were found to be "not superior" by City staff, the Parks Board, and insufficient by the Environmental Commission. Parkland is a top priority for the neighborhoods surrounding the site since this area is identified as park deficient by the City. The Grove PUD should be amended to include an additional 4 to 6 acres of dedicated parkland that adds active recreation space, greater street frontage for security, increased preservation of sensitive areas, and room for flood mitigation features along the south and east of the site.

- The Grove's site includes some of the most magnificent heritage oak groves in central Austin and all efforts should be made to preserve and protect these trees for the enjoyment of future generations. The Grove PUD proposes to only protect the 75% critical root zone and concentrate active recreation around these trees which has proven to damage and ultimately destroy similarly beloved trees in other developments. The Grove PUD should be amended to include protection of the 100% critical root zone and additional active recreation parkland to help protect this invaluable natural feature in central Austin.

- The Grove PUD will add nearly 50 acres of impervious cover to an already flood-prone watershed. Millions of dollars' worth of property damage and lives have been lost due to Shoal Creek flooding. The PUD commits to meeting only one of two minimums in the City Code – on-site peak-flow detention of storm water OR contributing \$950,000 fee-in-lieu of on-site detention. Either of these options alone are not superior. The Grove PUD should be amended to allow the City to require BOTH of these options to mitigate the increase on storm water flows and help fund erosion mitigation improvements on Shoal Creek within the site.

Thank you,

Joe and Amy Zeinner

1819 W 38th Street

Austin, TX 78731

**From:** woodshaw@gmail.com

**Sent:** Friday, June 17, 2016 1:28 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** June 21st Zoning and Platting Commission Public Hearing on The Grove at Shoal Creek- Current Plan NOT Superior Yet!

Dear Commissioners,

I ask that you consider voting the Grove at Shoal Creek PUD as NOT Superior just as the Parks Board and Environmental Commission has done during long thoughtful hearings.

It was during the June 1<sup>st</sup> Environmental Commission meeting while Garrett Martin, CEO of *MileStone* Community Builders LLC, was explaining to the commission why adding parkland to the Grove at Shoal Creek Planned Unit Development (PUD) was too costly especially in the midst of a housing crisis that I realized that he is taking a stand against parkland. For over a year, he has endured countless meetings with neighborhood groups and Parks and Recreation Department (PARC) Staff asking for more parkland. A week prior to the Environmental Commission meeting, the Parks Board declared the Grove as not superior for parkland and even in the days just before the commission meeting, PARC staff were still trying to get the developer to make a few changes in exchange for a vote of parkland superiority. Garrett Martin would not compromise. Then, at last night's Environmental Commission, after nearly an hour of discussion about the need for more parkland and testimony from City staff explaining that the Grow Zone, which PARC counted as parkland, would likely erode away in the years to come, the developer **refused** to provide any more dedicated parkland when asked by the commission chair. They also refused to follow PARC parkland standards for having the parkland along street fronts for access and visibility. Jeff Howard, ARG Lobbyist, dismissed City Staff's testimony, saying that the Grow Zone is not going anywhere and everyone will know where the park is. There are many developers like Garrett Martin that are opposed to parkland, but they would have found a way forward by now. Garrett Martin and ARG Bull Creek LTD have continued to add to its list of development enhancements that it believes are superior with the exception of the one thing the community most desires, **more useful parkland**. Most of parkland offered by ARG is property that cannot be developed anyways due to the critical environmental features and heritage trees.

Back to the June 1st meeting, Garrett Martin continued with a lecture to the Environmental Commission on their duties. He explained to them that despite what they think that they had a very narrow scope for reviewing PUD's, which only included the environmental elements listed in the PUD rule Tier 1 and Tier 2 tables. His words clearly contradict not only long standing precedent for the Environmental Commission but also the City Code 2-1-144 giving very broad responsibilities to the Environmental Commission to "advise the city council, the city manager, and the departments concerning policies, projects, and programs that affect the quality of life or have the potential to affect the environment, including those that relate to or affect environmental elements." This includes environmental aspects related to parkland and traffic namely "**growth management and land use planning**", "**recreation resources**" and "**roadway planning**." For a developer to over-reach this far is an indication that they are principally opposed to adding superior levels of parkland.

In addition to being unwilling to provide the community what they want for a superior development, ARG's plans for the Grove PUD has not been fully thought out for the following reasons:

- 1) the proposed density will cause grid-lock on the two-way Bull Creek Rd.
- 2) the current plan to demolish the house on 45th St. to create a separate entry/exit has not been fully designed to verify that larger vehicles can safely use the road and that it will not pose a safety hazard to the residents on either side.
- 3) the location of the pond near the heritage oaks will pose a threat to these trees during construction and the pond itself will expose the tree's roots to water which is not healthy for the variety of oaks. The developer's arborist missed this fact.
- 4) Idlewild's flooding problem is complicated and the developer in a measure of superiority, could offer to finally fix what is making the houses flood even during as little as a 15-year flood events. The problem is not only from surface water, but also from ground water.
- 5) the Grove PUD's development is in the amount of a Regional Center including large amounts of retail and commercial which includes options for large big box retail and over 15,000 square feet of bars. This is not the right mix for this development.

In Summary, this City has many developers, like those responsible for the Grove at Shoal Creek, and developer interest groups that do not support increasing parkland in the urban core. They refer to Imagine Austin as justification for this position, but Imagine Austin equally supports adequacy of quality parkland as it does densification of the urban core. Please vote the Grove as NOT Superior and insist on a changes to this development to include superior levels of parkland and affordable housing without the big box stores and cocktail bars.

Thank you so much for your service,

Amy Wood

4709 Strass Dr.

Neighbor of the Grove

District 7

**From:** Amity Courtois

**Sent:** Friday, June 17, 2016 12:20 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** GROVE at Shoal Creek PUD

Dear ZAP Commissioners:

I am a neighbor of the PUD proposal called the Grove at Shoal Creek. My home at 2643 W. 45th St (2nd from the corner of Bull Creek and 45th) abuts the property. I think it would be safe to say that we will be the most affected residents when it comes to this development. We actually aren't opposed to development on this site but we would like the development to be appropriately scaled to the neighborhood. This area cannot support an additional 19,000 cars per day. As it is now, we have a safe window to exit our driveway when the light at the Bull Creek/45th St. intersection turns red. Once ARG puts in a dedicated right turn lane from Bull Creek we will no longer be able to exit our driveway safely. We will also no longer be able to enter our driveway safely traveling west on 45th St. There will never be a moment clear of traffic to make a left into our driveway. These are issues that are being created by the developer and they are not being addressed by anyone. The safety of current residents should be a TOP priority for both the developer and city. There has been no talk of trying to fix this problem that the developer is creating. If ZAP deems this PUD superior you are basically saying "we care about the profit of a developer more than the safety and well being of current Austin residents." The developer should not have the right to make my home inaccessible and decrease my property value to increase his profit.

There are so many issues from creek bed erosion, to flood mitigation, to traffic, to pollution to transit that just haven't been dealt with yet. These things need to be addressed before this PUD is deemed superior. I will spare you the hassle of reading about all of these things again in this email as I'm sure you're well aware but there are eminent safety concerns that directly affect me and my neighbors and I hope you'll take the safety of my family into consideration when voting on this.

I urge you to support the BCRC's reasonable recommendations for amendments to this PUD which will address many of the commonly held concerns regarding The Grove. These amendments are intended to meet the goals of Imagine Austin, respect the transportation limitations and context of the site, but to also embrace the City's need for affordable housing and middle-income housing in this part of Austin.

Thank you for your time and commitment to the city! The residents rely on you to do what is right for us and the city as a whole.

Thank you!  
Amity Courtois

2643 W 4th St.

**From:** Dawn Lewis

**Sent:** Thursday, June 16, 2016 9:30 PM

**To:** Denkler, Ann - BC; Aguirre, Ana - BC; Evans, Bruce - BC; Rivera, Andrew; bc-jolene.kolbassa@austintexas.gov; Rojas, Gabriel - BC; bc-dustin.breithaupt@ausintexas.gov; Flores, Yvette - BC; Harris, Susan - BC; Lavani, Sunil - BC

**Subject:** The Grove Development

I am a neighbor of the PUD proposal called the Grove at Shoal Creek.

I am asking you to support the BCRC's recommendations for amendments to this PUD. As one of those who will feel the impact of this development every day, I know how important it is that concerns are addressed and solid precedent set. - Please support the BCRC's reasonable recommendations for amendments to this PUD which will address many of the commonly held concerns regarding The Grove. These amendments are intended to meet the goals of Imagine Austin, respect the transportation limitations and context of the site, but to also embrace the City's need for affordable housing and middle-income housing in this part of Austin.

Both myself and those on the BCRC are NOT against any and all development on this site. Rather, we want to support superior development that includes abundant housing and neighborhood-serving retail while incorporating priority community benefits like superior parkland and traffic mitigation. We can accomplish all of these things in a profitable development with ZAP's support for the neighborhoods' positive and reasonable amendments to The Grove PUD.

The office/retail portion of the proposed Grove PUD is a large town center-sized development. According to Imagine Austin, this intensity of development should only be allowed on major transportation arterials, not on a two-lane neighborhood collector street surrounded by residential streets and homes. A regional customer and employee base will be required to support this large commercial center as evidenced by the multiple large parking structures proposed by the developers. The Grove PUD should be amended to include only neighborhood-serving commercial conforming to Imagine Austin.

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demand. This is not possible or prohibitively expensive in the middle of single-family neighborhoods where The Grove site is located.

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The Grove PUD proposes a "right-in/right-out" intersection at 2627 W 45th, but the preliminary design provided does not meet ANY City standard and conflicts with adjacent home driveways and other intersecting streets. The proposal will create an extremely dangerous situation for the proposed pedestrian/bicycle crossing at this location, existing 45th traffic, and residents getting in/out of their driveways and adjacent neighborhood streets. City staff has only been able to find a Taco Cabana driveway as an example of this type of intersection design in Austin which serves a fraction of the traffic The Grove will generate. It is also apparent that such an intersection will not adequately and safely fit on the SF-2 house lot. The Grove PUD should be amended to remove this street through 2627 W 45th for these and other reasons.

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The Grove PUD's parkland proposal is inadequate to serve the many needed uses: protection of sensitive environmental features on the site, preservation of the magnificent heritage groves, restoration of the rapidly-eroding Shoal Creek banks, accommodating flood-control provisions for immediate downstream neighbors and the entire flood-prone watershed, and active recreation for the thousands of existing and new residents.

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surrounding the site since this area is identified as park deficient by the City. The Grove PUD should be amended to include an additional 4 to 6 acres of dedicated parkland that adds active recreation space, greater street frontage for security, increased preservation of sensitive areas, and room for flood mitigation features along the south and east of the site.

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The Grove PUD will add nearly 50 acres of impervious cover to an already flood-prone watershed. Millions of dollars' worth of property damage and lives have been lost due to Shoal Creek flooding. The PUD commits to meeting only one of two minimums in the City Code – on-site peak-flow detention of storm water OR contributing \$950,000 fee-in-lieu of on-site detention. Either of these options alone are *\*not\** superior. The Grove PUD should be amended to allow the City to require BOTH of these options to mitigate the increase on storm water flows and help fund erosion mitigation improvements on Shoal Creek within the site.

Thanks so much for your time and support. I truly appreciate it.

Best,

Dawn Lewis

[Dawn Lewis](#)

["Never believe that a few caring people can't change the world. For, indeed, that's all who ever have." Margaret Mead](#)

**From:** Nancy Shaukat

**Sent:** Thursday, June 16, 2016 9:12 AM

**To:** Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew

**Subject:** Grove PUD/Not superior

Dear ZAP Commissioners:

Like so many other concerned citizens in Austin, I am watching the proposed Grove PUD development very closely. I believe most people want a smart, forward thinking urban development which can offer many amenities. I live directly adjacent to the land being developed and I am still concerned that the developer has not honestly listened to our concerns and wants to maximize their monetary profits at the expense of our community. I am particularly concerned about drainage and flooding on the site. We believe this essential component of planning has not been handled superiorly.

The Grove PUD will add nearly 50 acres of impervious cover to an already flood-prone watershed. Millions of dollars' worth of property damage and lives have been lost due to Shoal Creek flooding. The PUD commits to meeting only one of two minimums in the City Code – on-site peak-flow detention of storm water OR contributing \$950,000 fee-in-lieu of on-site detention. Either of these options alone are not superior. The Grove PUD should be amended to allow the City to require BOTH of these options to mitigate the increase on storm water flows and help fund erosion mitigation improvements on Shoal Creek within the site.

Thank you for your time and service to our community.

Sincerely,

Cassy Shaukat

4114 Idlewild Road

Austin, Texas 78731

(512)586-5744

