Name	Location	Date	Comment
Kathryn Millan	Austin, TX	2016-04-06	I am tired of the city selling its soul to developers! Stop! And stop the tax breaks to big corps for moving here! Everyone wants to move to Austin, we should make them pay more!
Peggy Seely	Austin, TX	2016-04-06	I have opposed this development from the beginning. The displacement of this family for the sake of this ill-conceived development project is one more travesty.
Eric Mickelson	Austin, TX	2016-04-06	In Mayor Adler's own words: "We need to recognize that in a city that has 2 million people in the metropolitan area today, 3 million people predicted by 2030, 4 million people within 10 years of that, we're going to have to be building more densely than we're building now. But we can't do that density in the middle of neighborhoods because that too is disruptive and will [make us] lose part of our spirit and our soul." "The Challenge of Keeping Austin, Austin" (Metropolis Magazine, March 29, 2016, http://www.metropolismag.com/Point-of-View/March-2016/The-Challenge-of-Keeping-Austin-Austin/)
Susan Marshall	Austin, TX	2016-04-06	City administrators, STAND UP and SUPPORT CENTRAL AUSTIN NEIGHBORHOODS!
Shane Herman	Austin, TX	2016-04-06	45th is to busy at this area to be an in and out for the development.
W. Krause	Austin, TX	2016-04-07	I drive 45th every day and it already has too much traffic.
Jason Savage	Austin, TX	2016-04-07	Elected officials should take the time to listen to the people living in the neighborhoods affected by this development, not just to the greedy developers.
Lyn Krause	Austin, TX	2016-04-07	You're destroying old neighborhoods of fine folks who have lived in Austin for a long time. The developer simply wants to make money off of innocent folks who want peace and quiet. For shame!
Lori Czop Assaf	Austin, TX	2016-04-07	I'm signing because we need to find a better solution without creating traffic on an already over congested area.
Rose Blanchard	Austin, TX	2016-04-07	I'm tired of this unwise disappointing housing development trend that leaves majority of long term Austin residents powerless
Meredith Brethe	Austin, TX	2016-04-07	I live in THIS neighborhood, and I see every day the problems not only inherent in the "plan" from the developers, but the ongoing changes that represent an increasingly more dense population. It's very frustrating in the first place, but the idea that it is going to inundated with low income/and/or excessive volumes of people is disturbing in the extreme. It boggles the mind that this appears to be rolling along
Ken Barnes	Nacogdoches, TX	2016-04-07	Trumpism in reverse.
Erika Bsumek	Austin, TX	2016-04-07	"Instead of modifying the development to work within the confines of the land, the City of Austin and ARG have decided to instead modify the neighborhood to make the development fit." This kind of activity is unwise. 45th is already over burdened and unsafe.
Amy Strong	Austin, TX	2016-04-07	Not fair to adjacent homeowners, bad for traffic
Eileen Priya	Austin, TX	2016-04-07	This just isn't right. The city needs to listen to its residents, not just developers.
Jeff Rogers Jr.	Austin, TX	2016-04-07	If the city is going to selectively listen, they should at least listen to multi generation Austin Natives.

Name	Location	Date	Comment
John Keohane	Austin, TX	2016-04-07	Demolishing/inserting a street may mean $s for someone, but it doesn't make any sense to those who will then have to live with it. It will drain traffic to streets already set to overuse, require an additional stop light to 45th street to further hamper traffic flow. It's idea whose time is not.
Amy Chamberlain	Austin, TX	2016-04-08	It appears that the City of Austin has not considered the interest of this homeowner, who I believe will be the most adversely affected of all homeowners adjacent to the development. This is not an eminent domain case. It is unjust.
Jessica Brier	Oakland, CA	2016-04-08	As a native Austinite who grew up in a house blocks away from 2627 W. 45th Street, I am disappointed and disheartened by the proposed Grove development. This project threatens to permanently compromise the character and accessibility of this neighborhood. I was so lucky to grow up here, and in Central Austin, and it breaks my heart to imagine this amazing place turned into a corporate development that cares little about families and neighbors. I'll continue to oppose this development from afar, in solidarity with my parents who still occupy their beautiful, historic home on Idlewild Road.
meredith withers	Austin, TX	2016-04-08	Homeowners should not be penalized on their property or neighbors for the development going in. No one would want to live next door to a street that connects 45th to the new development. This is a long standing neighborhood and it needs to be respected.
Ed Wallace	Austin, TX	2016-04-08	Traffic impacts yet to be studied, and no buffer between adjacent houses and new driveway. Noise to those houses 24/7.
Casey Burns	Austin, TX	2016-04-09	I live in the neighborhood and don't want this
Morgan Howard	Missouri City, TX	2016-04-09	My mother lives near this location too and it is high time people take responsible approaches for "improving" the quality of life in my hometown.
Trish Sierer	Austin, TX	2016-04-09	Preserve Austin
Karen Collier	Austin, TX	2016-04-09	I'm sick of watching the neighborhoods of Austin destroyed.
Linda Smith	Austin, TX	2016-04-09	This is a ridiculous idea to an already congested street!
Kent Hemingson	Austin, TX	2016-04-09	This is really important, as currently the over 21,000 cars per day that zoom down 45th St make it difficult and unsafe to even get out of our drive. Adding more vehicles is not only irresponsible, but just plain stupid!
dinny peterson	Austin, TX	2016-04-10	i lived in that neighborhood for 13 years. i avoid 45th because of the traffic and narrow lanes. i feel for the community. please keep egress off of 45th. just makes sense.native austinite.
Melanie McLeroy	Austin, TX	2016-04-10	This property should be developed more carefully, please slow down and facilitate a thoughtful, progressive, careful process for a beautiful opportunity for Austin's future!
Will Grover	Austin, TX	2016-04-11	This is an inappropriate use of residential property, to the profit of a corporation which doesn't share neighborhood values.
andrea lasseter	austin, TX	2016-04-11	Negative impact on the neighborhood and terrible traffic on an already difficult road.
ernest mckenney	Austin, TX	2016-04-11	I am very concerned about the 15,000+ additional trips a day that come with the current version of the Grove development. I am very concerned about the behind closed door decisions by city management to railroad the approval of this project.
Connor Matthews	Austin, TX	2016-04-11	If this is to become a street, SF-3 zoning requires it go through the appropriate public due process.

Name	Location	Date	Comment
Laur Bailie	Austin, TX	2016-04-11	We already have too much traffic!
Jeff Archer	Austin, TX	2016-04-11	The existing zoning on the purchased lot is all the neighbors have to protect them in the reasonable and foreseeable use of their property. This change in use next door asks too much of them without significant compensation at least. This sets a horrible precedent.
Pam Knight	Austin, TX	2016-04-12	This is a residential street! Why is the city ignoring regulations regarding residential limitations and allowing developers to treat a neighborhood as if it is a commercial thoroughfare? The Grove was supposed to be primarily single family homes with contained multifamily. What happened? Why are city planners not protecting our neighborhood from excessive commercial land use? It was clearly decided and stated on several occasions that 45th street would NOT be an access street for the Grove. The only reason they now think access from 45th is needed is because they are not following residential regulations and have allowed the developer to keep packing more and more on the land. STOP IT!
Dianne Mountain	Austin, TX	2016-04-25	The City shouldn't murder our zoning and compatibility standards and walk all over their tax-paying residents to help a well-funded corporation that didn't do their due diligence. All that with no public process.
Michelle WALD	Austin, TX	2016-04-28	I don't think the density of the grove will fit in our neighborhood!
Patricia Micks	Cedar Park, TX	2016-06-17	My friends deserve to know the truth about the home they bought--BEFORE they bought it
Kathryn Caldwell	AUSTIN, TX	2016-06-18	This PUD is going to demolish the existing neighborhood. I've driven 45th and Bull Creek. It's inconceivable to me that it is ok with the City of Austin to raise traffic levels 10 times or more through residential neighborhoods.

Mrs. Victor Szebehely
4100 Jackson Avenue, Apt. 408
Austin, Texas 78731
June 22, 2016

TO: Mayor and Council
From: Jo Betsy Szebehely
Subject: The Grove at Shoal Creek

Please note my strong support for The Grove. While I now live at Westminster, I have lived all my earlier years in West Austin…specifically in Pemberton Heights. Is it possible that the home owners surrounding the property have enjoyed using the land as their own property? In addition to the reasons stated in the "Petition to the City of Austin", the intersection of 45th and Bull Creek could benefit also.

I sincerely hope that my letter may still be considered by the Zoning and Platting Commission and that The Grove will become a reality.

Thank you for your attention.

Sincerely,
Jo Betsy Szebehely
Jo Betsy Szebehely



EXHIBIT R

PARKS & RECREATION BOARD RECOMMENDATION 20160524-003

Date: May 24, 2016

Subject: The Grove at Shoal Creek PUD Application

Motioned By: Board Member Luca Seconded By: Board Member Alter

Recommendation: **The Parks and Recreation Board affirms the PARD (Parks and Recreation Department) staff findings that The Grove at Shoal Creek Planned Unit Development application, as currently submitted on March 28, 2016, is not superior in relation to parks.**

Vote: **Approved by the Parks and Recreation Board on a vote of 6-1-1-3 with Board Member Casias against, Board Member Schmitz abstaining, and Board Members Donovan, Vane and Wimberly absent.**

For: Board Chair Rivera, Vice Chair DePalma, Board Member Alter, Board Member Cofer, Board Member Larkins, and Board Member Luca

Against: Board Member Casias

Abstain: Board Member Schmitz

Absent: Board Member Donovan, Board Member Vane, and Board Member Wimberly

Off the Dais: N/A

Attest: *[Staff or board member can sign]*

April L. Thedford, Board Liaison

EXHIBIT S

ENVIRONMENTAL COMMISSION MOTION FORM 20160615 008a

Date: June 15, 2016

Agenda Item: The Grove at Shoal Creek Planned Unit Development

Motion by: Peggy Maceo **Seconded by:** Mary Ann Neely

RATIONALE:

Whereas, Imagine Austin sets a vision for our City to be one of complete communities that is natural and sustainable, prosperous, livable, mobile and interconnected that identifies a need for more infill parkland within walking distance of homes in many established neighborhoods, and for a variety of parkland types; and

Whereas, Imagine Austin recognizes that Austinites enjoy an easy connection with nature and have a strong environmental ethos and consider parks a core part of what makes Austin special; and

Whereas, Austin prides itself on being among the top cities in the country for parkland per capita; and

Whereas, Imagine Austin states a beautiful system of outdoor places for recreation and environmental protection will define Austin as a world class city and as we grow into a more compact city we will also have an increase need for parks and open space; and

Whereas, by strengthening our green infrastructure, including parks, open space and creeks, Austin can protect the natural environment and enhance quality of life; and

Whereas, the City of Austin's Planned Unit Development (PUD) ordinance provides a number of "Tier Two" criteria for determining the extent to which a PUD development would be considered superior, including a number of environmental criteria; and

Whereas, these "Tier Two" criteria provide a PUD developer with a number of options for addressing circumstances, conditions, and needs that are unique to the proposed PUD development location and surrounding community; and

Whereas, the Bull Creek Road Coalition is a neighborhood group formed when TxDOT announced it would be selling the site of the proposed Grove at Shoal Creek PUD and provided a written document outlining the community's priorities and concerns regarding development in this site; and

Whereas, TxDOT made the Bull Creek Road Coalition document regarding community concerns available to all bidders during the land sale process; and

Whereas, the neighborhoods adjacent to the proposed PUD have experiences a significant increase in the magnitude and frequency of clouding during recent rain events; and

Whereas, the City's Parks and Recreation Department has determined that the proposed parkland for the development does not achieve a level of superiority; and

Whereas, the community has expressed concern regarding erosion along the bank of Shoal Creek; and

Whereas, among the PUD development design features intended to achieve environmental superiority are riparian and grow zone areas along Shoal Creek and trails; and

Whereas, the PUD development has shown that these features will be impacted if erosion along the bank of Shoal Creek continues to occur as expected; and

Whereas, the surrounding community has expressed concern regarding flooding in the area and regarding the potential of the proposed PUD development to exacerbate the potential for flooding; and

Whereas, the PUD development has not identified or proposed a flood mitigation option that achieves environmental superiority, above and beyond what is already required by the City's Code requirements.

Therefore, be it resolved that the Environmental Commission recommends that The Grove at Shoal Creek PUD, as proposed, is found to lack environmental superiority; and

Therefore, be it further resolved that the Environmental Commission finds that environmental superiority is achievable and could be achieved if the following concerns were met:

-The amount and arrangement of parkland, including active park space as well as adequate space between and around the preserved trees and any intense activity associated with parkland that may adversely affect the health and long-term viability of those trees, lacks superiority via the City's Parks and Recreation Department's process, including credits given to parkland within the erosion area, and fails to meet the needs of the existing neighborhood, new residents and citizens of Austin. Flex space should be removed and 1,100 feet of street frontage and a minimum of 3 additional acres requested by the City's Parks and Recreation Department should be added.

-Comply with at least Three Star Rating building requirements. Due to the high level of density planned for the PUD development and lack of adequate parkland acres, a Two Star Rating provides less energy efficiency and innovative building requirements while a Three Star Rating of landscapes and housing enhances sustainable goals, higher resale value, and reduces environmental impact.

-The proposed drainage system fails to account for the increased flood risks adjacent neighborhoods have experienced in recent years. Designing the drainage system to the 500-year storm event rather than the typical 100-year storm event would provide an additional margin of safety for the neighborhoods given the magnitude and frequency of flood events the surrounding area has experienced in recent years.

-The Land Use Plan for The Grove at Shoal Creek PUD does not identify where drainage easements will be located and lacks details regarding restrictive covenants intended to address drainage. The PUD ordinance should specifically identify the easements and outline details of any relevant restrictive covenants.

-Air quality impacts to the surrounding neighborhoods as a result of an anticipated 19,000 additional vehicle trips served by the existing transportation infrastructure in this area were not addressed. The PUD should implement an air quality plan with input from the City of Austin's air quality staff, including an air quality monitoring system, and ensure the site has adequate mature trees to provide air quality benefits and mitigate noise pollution.

-Tree protections lack superiority. The tree plan should commit to preservation of 100% of the Critical Root Zone on all Heritage and Protected trees that remain in the site in applying the Tree Preservation

Criteria for Critical Root Zones Impacts. Furthermore, trees that line the property along the properties on Idlewild Road should be retained and protected to serve as a barrier to mitigate noise and air pollution, erosion control, and will offer increase green infrastructure on site.

-The density of the development is inappropriate for the location and should be reduced to a maximum of 2.1 million square feet by reducing the amount of retail and office space.

-Lack of adequate evaluation of erosion dynamics on this portion of Shoal Creek and a lack of any actions to mitigate erosion along the creek frontage in this PUD were not achieved. This erosion affects the Critical Environmental Feature, grow zone, parkland, trails, and trees. The developer should work with staff to conduct an erosion control study and implement erosion control measures identified through the study at the developer's expense.

VOTE 6-4-1

Recuse: None
For: Gooch, Maceo, Perales, Neely, Guerrero, Thompson
Against: B. Smith, Creel, Moya, Grayum
Abstain: None
Absent: H. Smith

Approved By:

Marisa Perales, Environmental Commission Chair

EXHIBIT T

Memorandum

To: Environmental Commission Members

From: Ricardo Soliz, Division Manager

Parks and Recreation Department

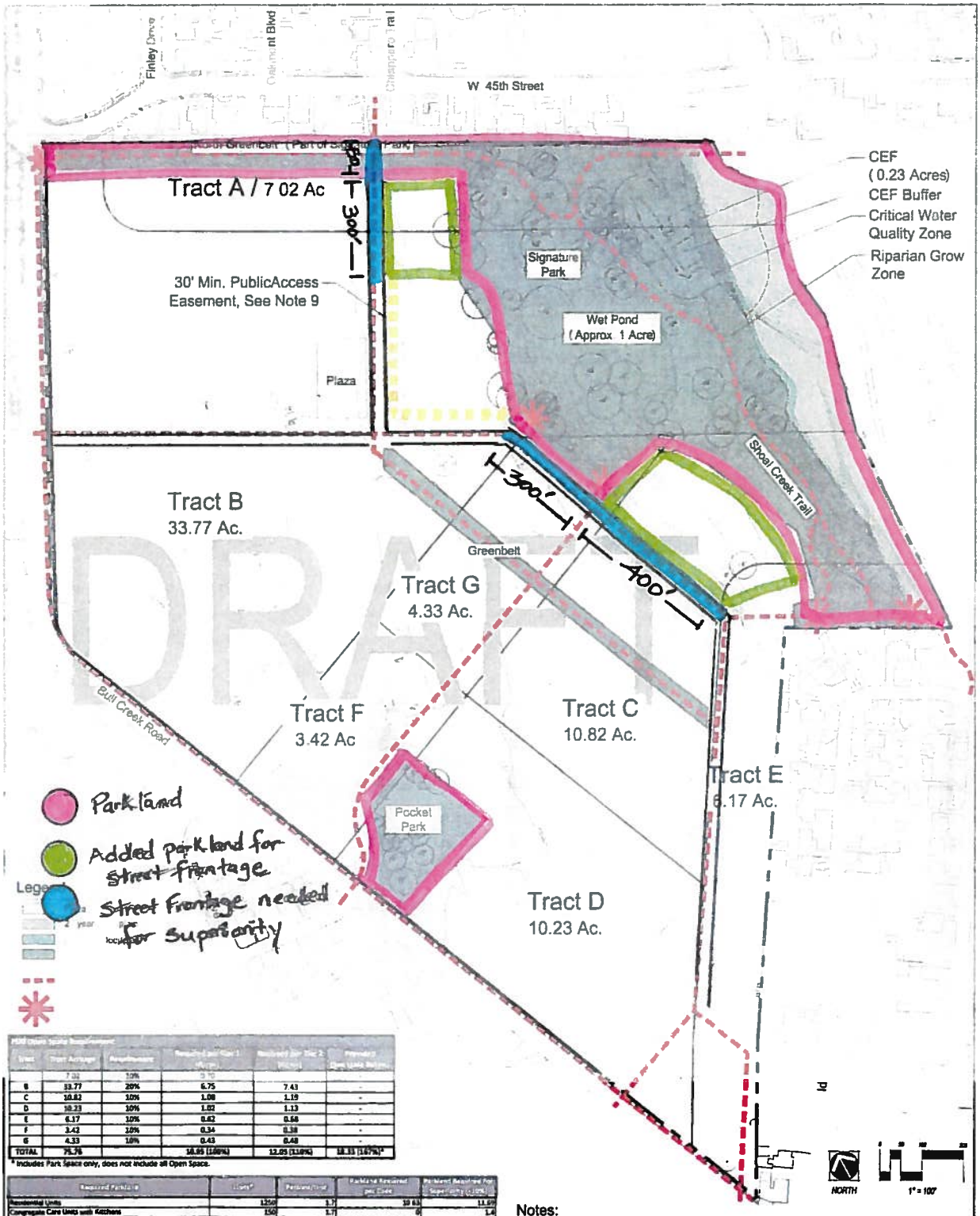
Subject: Status on the Grove at Shoal Creek

Date: June 9, 2016

Thank you for the opportunity to continue to work with the applicant by your action to postpone the Grove at Shoal Creek to see what progress could be made to reach "superiority" in regards to parkland. On Monday, June 6, 2016, the applicant had an opportunity to meet with City staff to discuss the plan of action to address the list of conditions outlined in the Environmental Commission's motion. On June 8, 2016, the applicant submitted a revised Parks Exhibit to PARD to review and comment. On June 9, 2016, PARD provided the development team a response to that Parks Exhibit. PARD staff is waiting to hear back from the applicant. Attached is PARD's response to the applicant latest Park Exhibit.

If I can provide you with additional information, please let me know at (512) 974-9452 or at Ricardo.Soliz@austintexas.gov.

Attachment(s)
Park Exhibit from PARD
E-mail to the Applicant by PARD staff



Tract	Tract Acreage	Requirement	Required per Tier 1 (Acres)	Required per Tier 2 (Acres)	Provided (Open Space Acres)
A	7.02	10%	0.70		
B	33.77	20%	6.75	7.43	-
C	10.82	10%	1.08	1.19	-
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	-
TOTAL	75.76		10.95 (10.09%)	12.05 (11.10%)	12.33 (11.7%)*

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

Required Parkland	Units*	Parkland Required per Code	Parkland Required for Superiority (+10%)
Residential Units	1250	1.7	10.63
Congregate Care Units with Kitchens	150	1.7	1.4
TOTAL	1400	1.7	11.90

Parkland Provided	Acres	% Parkland Credit	Creditable Parkland Acres	Open Space Acres
Signature Park at 25 yr Floodplain (Publicly Dedicated)	1.20	0%	0.00	3.2
Signature Park at 100 yr Floodplain (Publicly Dedicated)	8.235	100%	8.1275	8.235
CEF in Signature Park (Publicly Dedicated)	0.23	0%	0.00	0.23
CEF Buffer in Signature Park (Publicly Dedicated)	0.71	0%	0.00	0.71
Critical Water Quality Zone	0.34	0%	0.00	0.34
Wet Pond Permanent Pool in Signature Park (Publicly Dedicated)	1.00	50%	0.50	1.00
North Greenbelt, included in Signature Park (Publicly Dedicated)	0.87	100%	0.87	0.87
Remainder of Signature Park (Publicly Dedicated)	9.60	100%	9.60	9.60
Neighborhood Park (Publicly Dedicated)	1.25	100%	1.25	1.25
Greenbelt (Private/Public Easement)	1.00	50%	0.50	1.00
Plaza	0.50	50%	0.25	0.00
TOTALS	24.84		13.09	14.15

Note: The Signature Park will be a minimum of 18.09 acres in size (including floodplain, CEF, North Greenbelt, etc). All other park acreages are approximate.
Total Credited Parkland for the project must be at least equal to the total shown in the table

Notes:

1. 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 elsewhere on site.
2. All park space shall be improved and maintained by the Applicant, as described in the Master Parkland Agreement.
3. 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.
4. 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.
5. 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.
6. Public parking shall be provided to serve the signature park. This may be on-street parking, garage parking, surface lots, or a combination thereof.
7. Subject to approval by the City, a trail connection shall be provided from the Shoal Creek Trail to Jefferson Street on the City owned land at this location.
8. The signature park shall have a minimum of 400' of total street frontage. This may be a combination of frontage on Bull Creek Road, Jackson Avenue, and internal roadways.
9. A minimum 30'-wide public access easement shall be provided adjacent to public roadways on any non-residential land uses that border the Signature Park (e.g. restaurants). This easement shall be designed as a public space and shall connect to the Signature Park.

The Grove at Shoal Creek Planned Unit Development
Parks Plan Exhibit

Exhibit G | June 07, 2016 | Sheet 1 of 1

2121 E. Sixth Street, Ste 233
Austin, Texas 78702
P 512.800.7868
F 303.892.1188
www.norris-design.com
NORRIS DESIGN

Rationale for frontage and acreage needed to provide the frontage:

- The development along the frontage of most of the Signature Park will hide the park amenities, much as the playscape at Central Market and the Arboreteum cow sculptures are hidden from street view at those developments today. Those are not parkland. They provide an example of how we feel the Applicant's configuration will not address the public realm.
- Full credit was given to the grow zone (1.63 acres) due to its scenic value. However, in light of Watershed Protection Department's comments regarding some continued bank erosion, we are concerned that some portion of that acreage may not exist in future years. In light of this new information, PARD believes that some of this acreage must be recovered elsewhere in the Signature Park.
- As we explained at the Parks Board, much of the Signature Park acreage will have limited recreational uses, particularly if there is a requirement to increase the Critical Root Zone protection or if design requires the pond size to increase. This would could create a need to move the trail closer to the restaurant area.
- We need street frontage for superiority, regardless of how much acreage is owed. To this end, we would change Note 8 on the June 7, 2016 Park Exhibit that state: " the signature park should have a minimum of 400 feet of total street frontage" to " the signature park should have a minimum of 1,100 feet of total street frontage." Also see the attached graphic that extends the proposed park space outside of floodplain to show the street frontage.
- PARD does not agree with the public access easement in lieu of actual park street frontage. The yellow dashed arrows should be removed along with note #9.

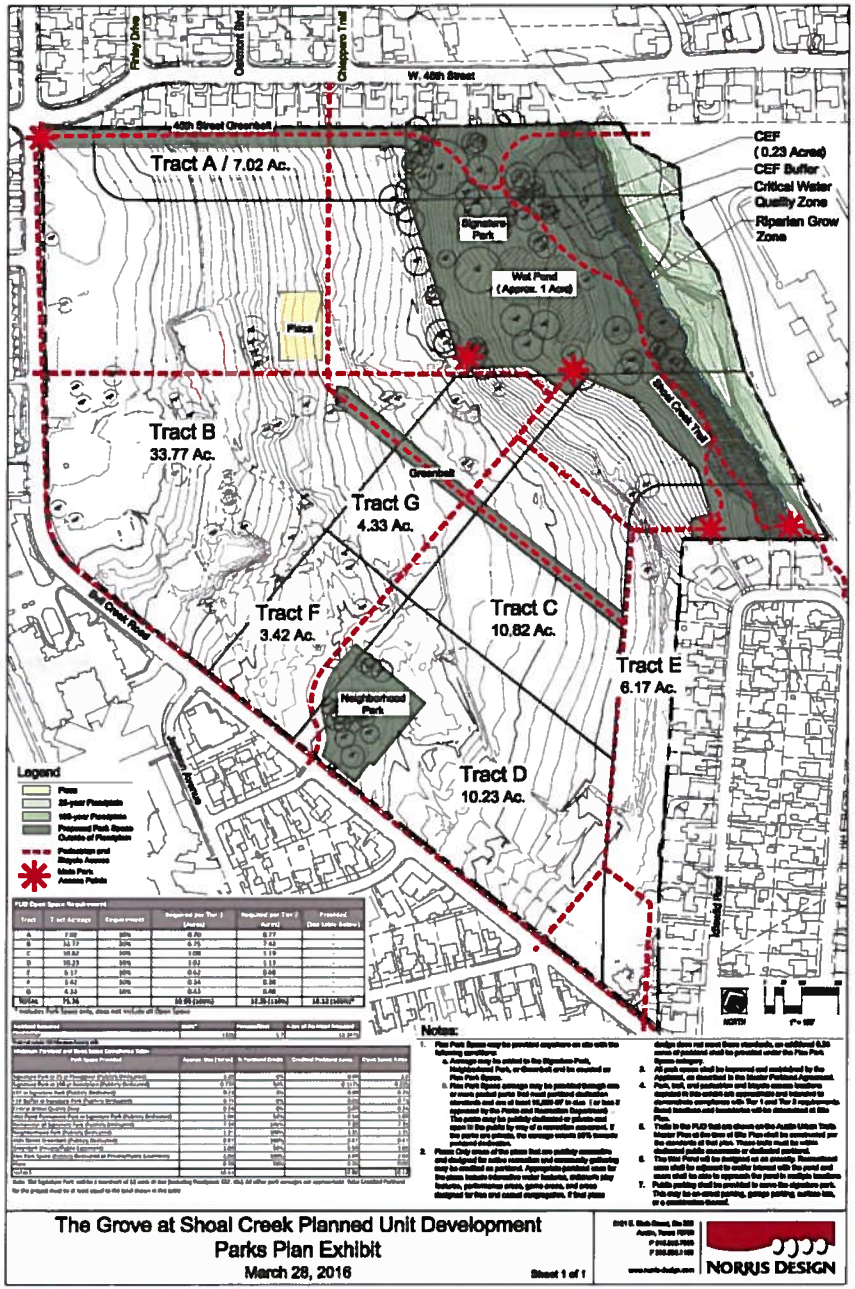
Ricardo Soliz

The Grove at Shoal Creek PUD Application

Randy Scott, Park Development Coordinator
City of Austin - Parks & Recreation Department
May 24, 2016

PUD Project Site

- Exhibit for approval shows 16.63 acres of parkland:
  - a Signature Park (13.88 acres)
  - a Neighborhood Park (1.25 acres)
  - a Greenbelt area (1 acre)
  - a Plaza with recreation (.5 acres)



PUD Project Site

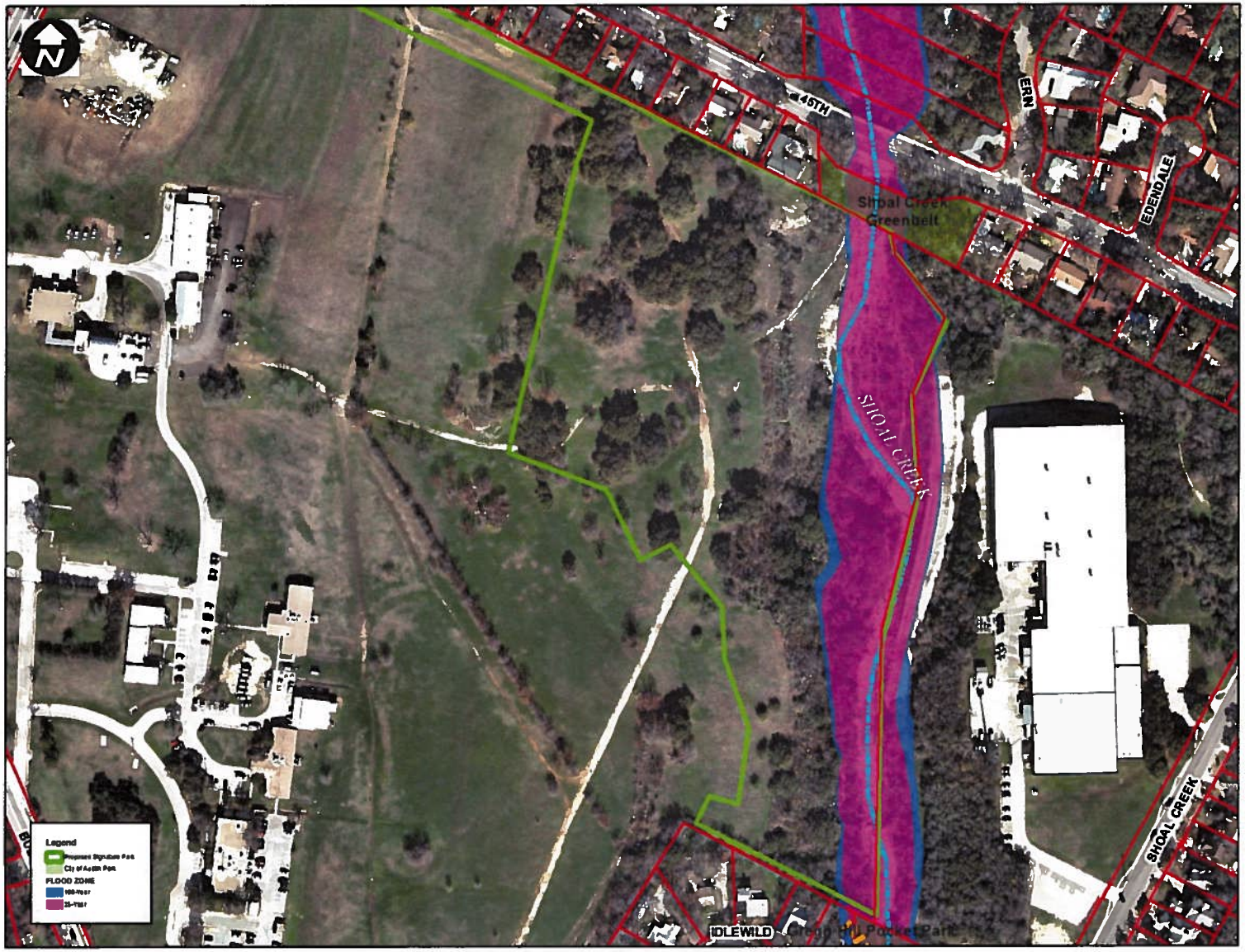
- Acreage Credits – Signature Park (13.88 acres)



No Credit for 25- Year Floodplain = 10.68 Acres

PUD Project Site

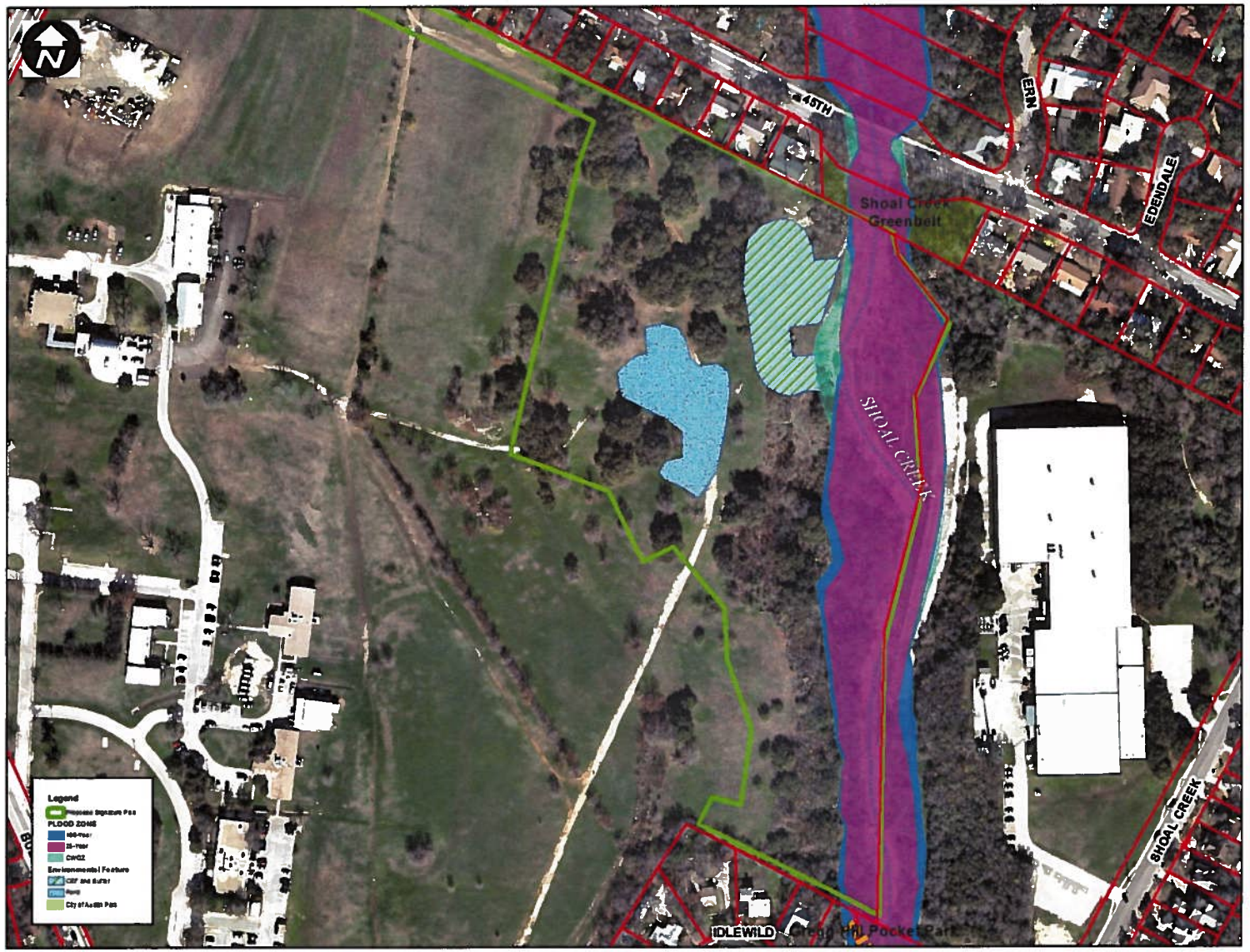
- Acreage Credits – Signature Park (13.88 acres)



Half Credit for 100 - Year Floodplain = 10.56 Acres

PUD Project Site

- Acreage Credits – Signature Park (13.88 acres)



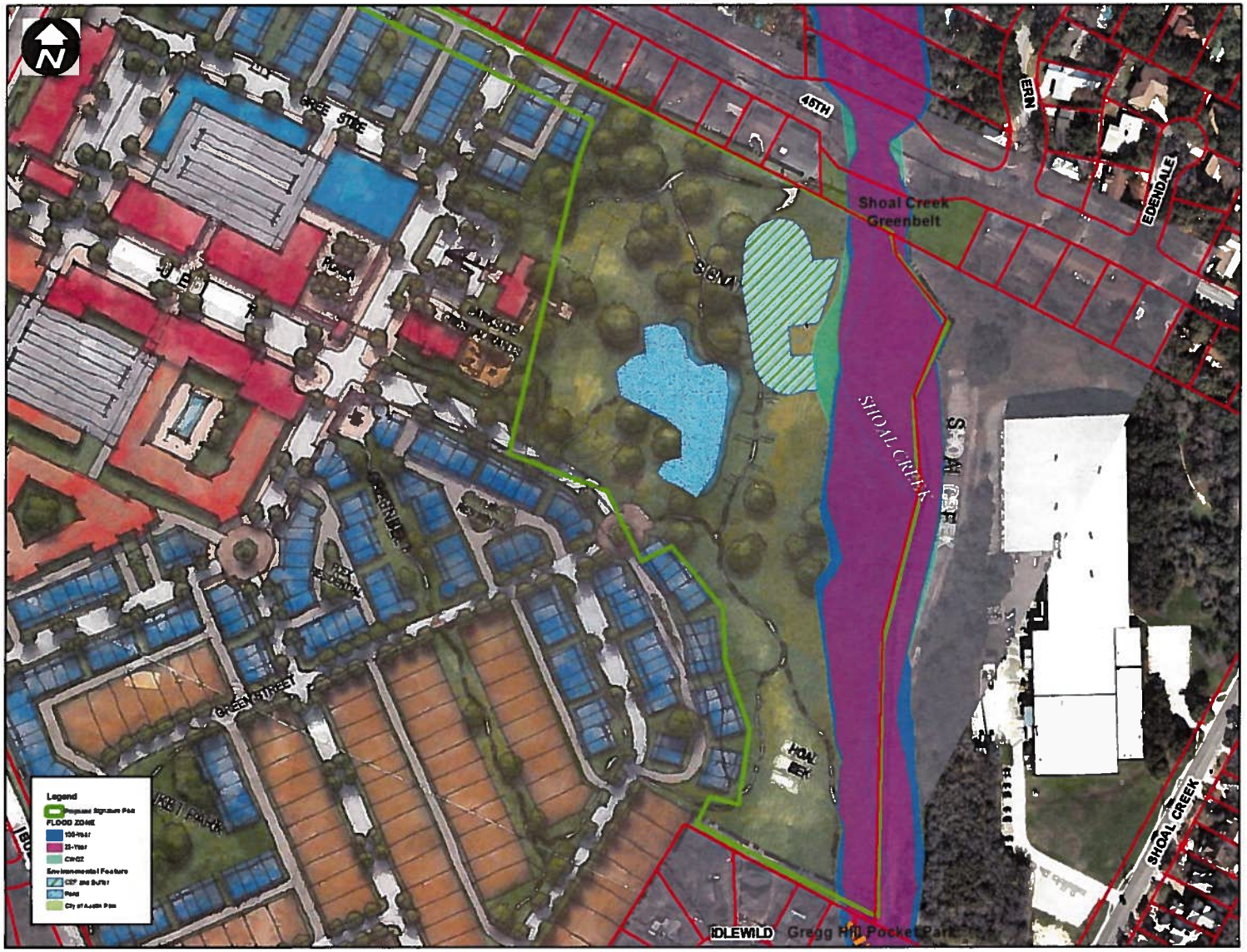
No credit for CEF, CWQZ and ½ of Pond

= 8.88 Acres

AUSTIN PARKS & RECREATION

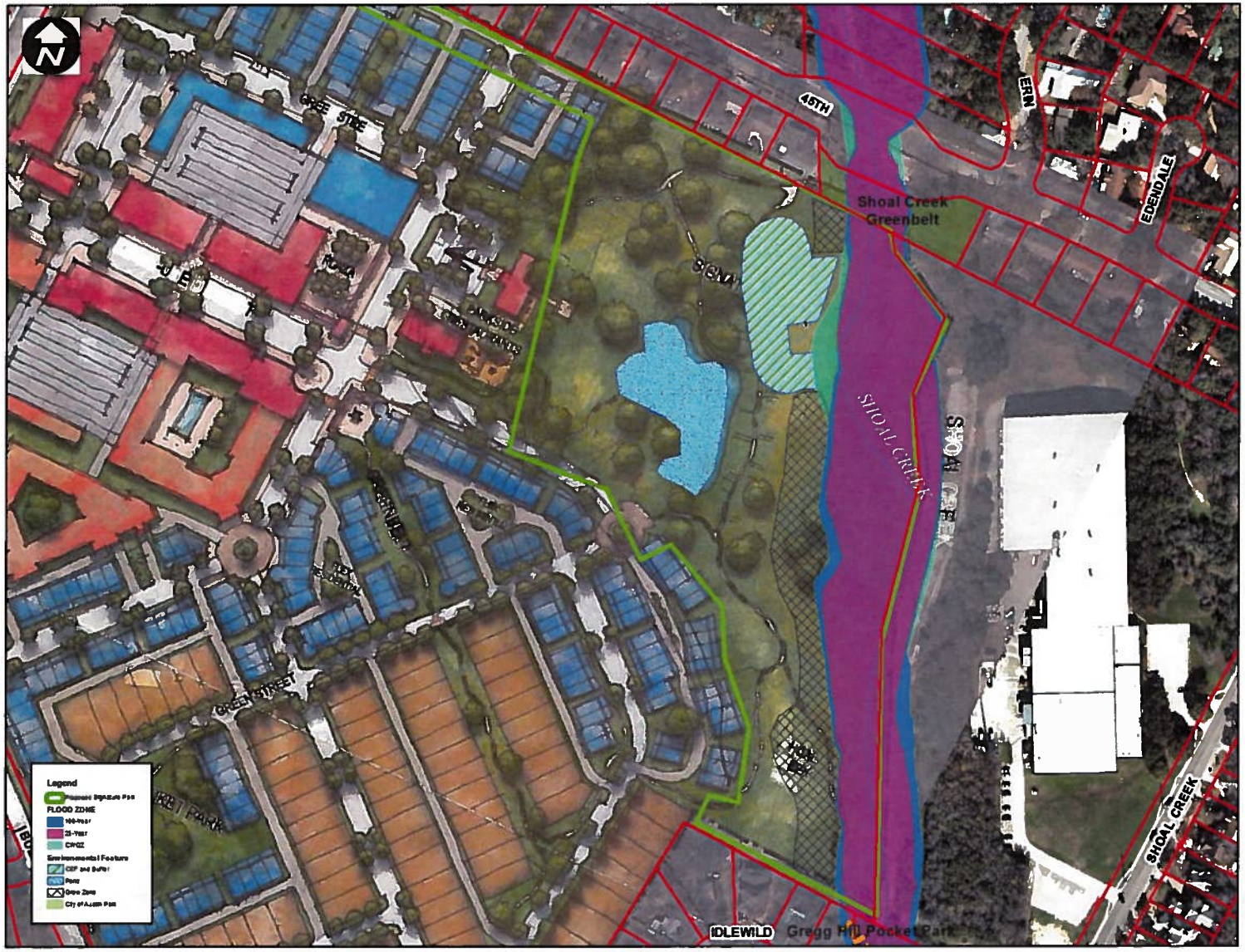
PUD Project Site

- Standards Analysis (Active Play Areas)



PUD Project Site

- Standards Analysis (Active Play Areas)



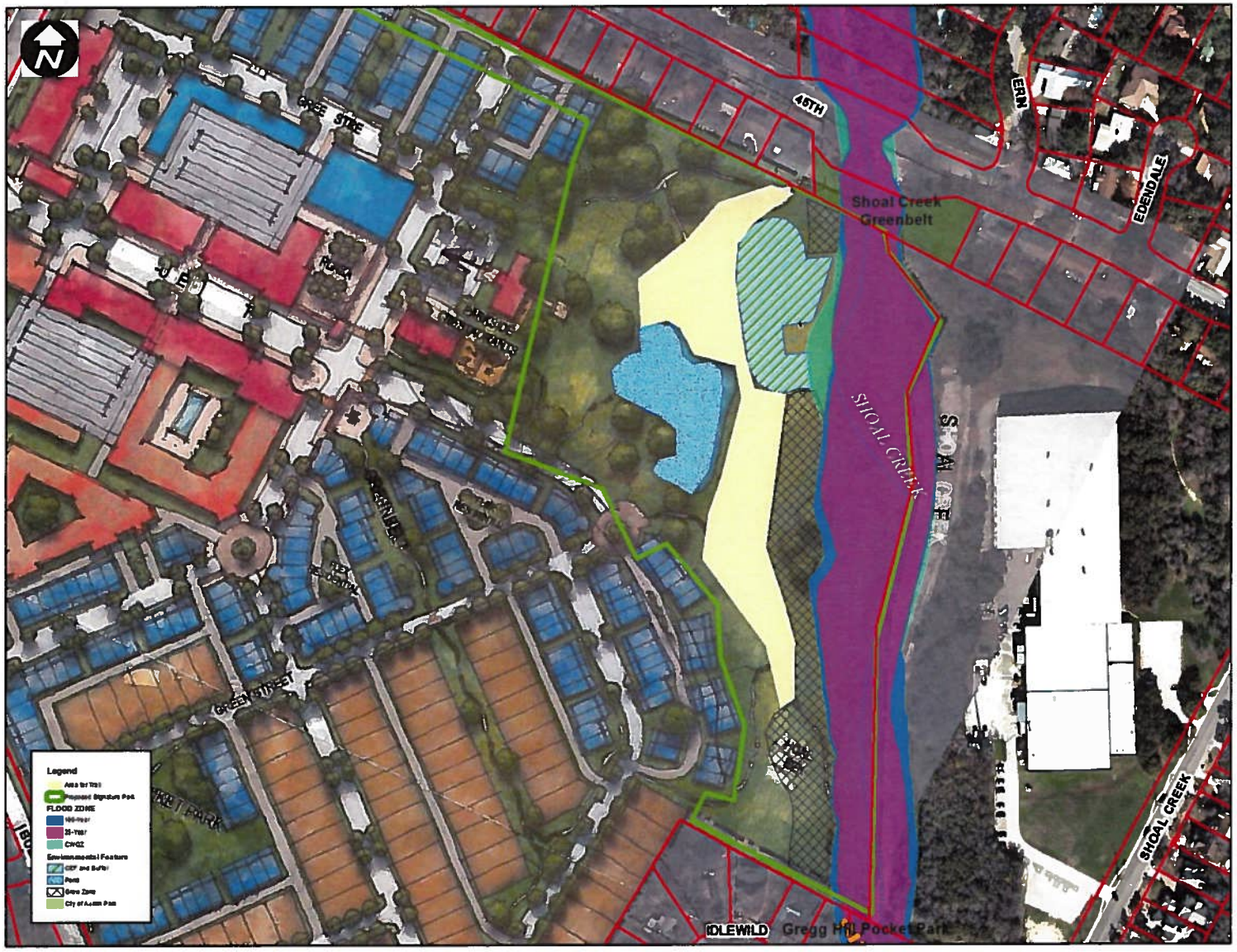
Grow Zone = 1.6 Acres

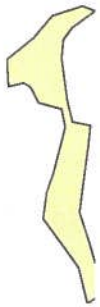
Flowers, plants and trail crossings allowed

AUSTIN PARKS & RECREATION

PUD Project Site

- Standards Analysis (Active Play Areas)





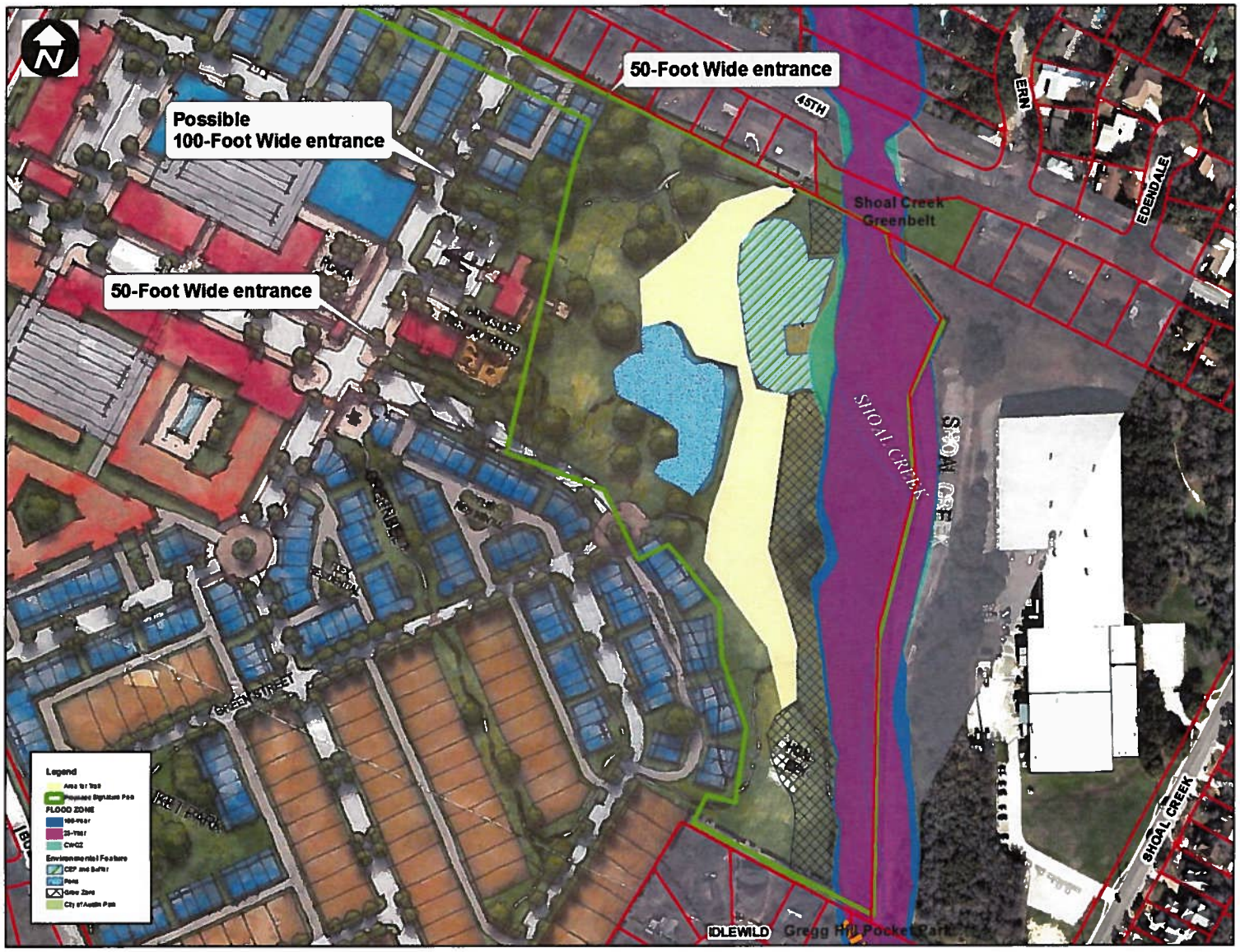
=

Desired trail uses about 2 acres

AUSTIN PARKS & RECREATION

PUD Project Site

❑ Standards Analysis (Active Play Areas)



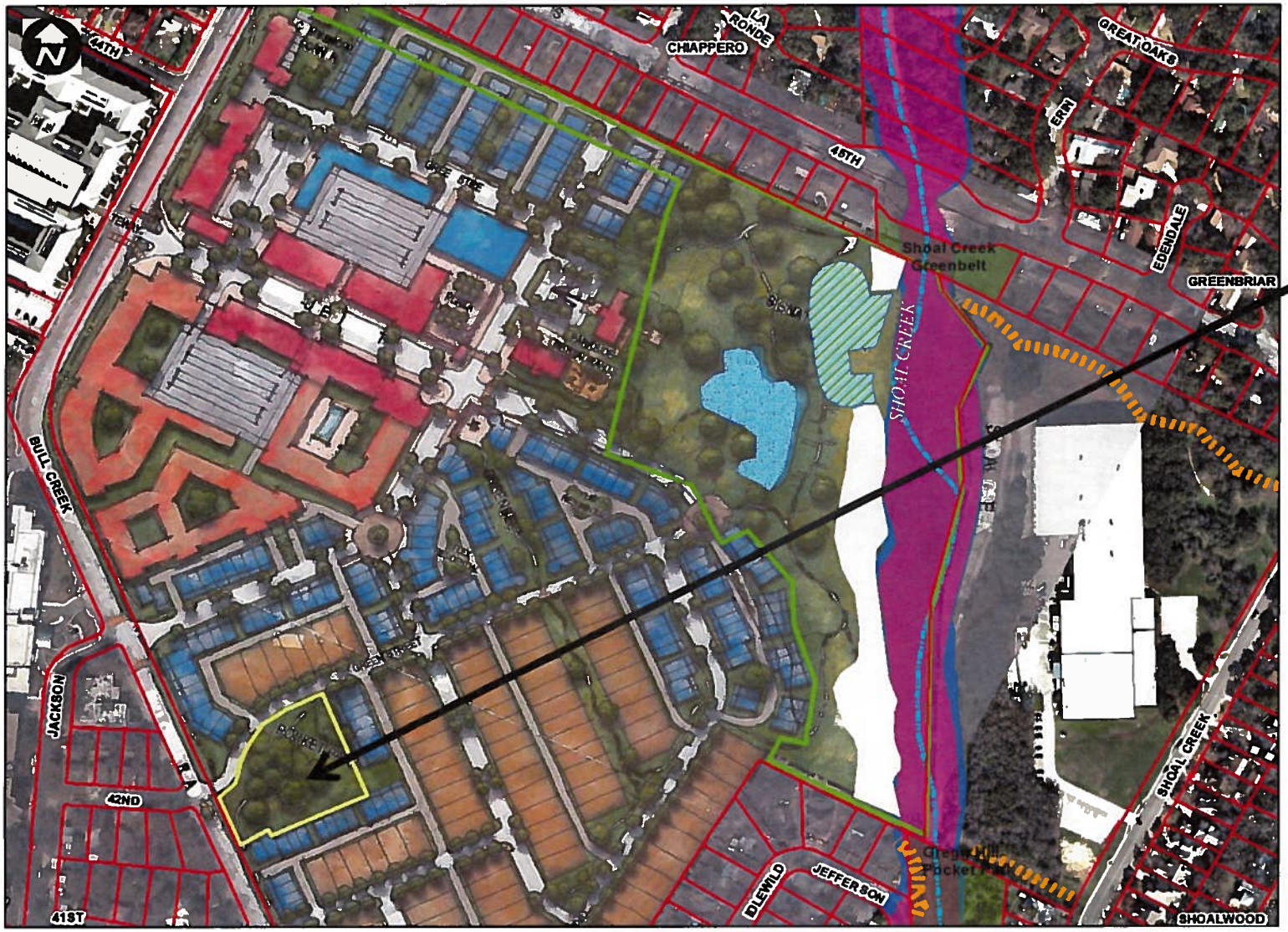
5 acres left

- Small visibility from the street
- Directly behind homes

AUSTIN PARKS & RECREATION

PUD Project Site

- Standards Analysis: Neighborhood Park



Play acreage

100-foot buffer needed from adjacent homes

AUSTIN PARKS & RECREATION

Review Conclusions

- Initially, Applicants did not want Parks superiority; PARD staff agreed to allow Flex Space of 2 acres but not recommend superiority
- Signature Park standards analysis shows estimated 4 acres of active play area and 2 acres of trail area; the remaining acres have limited or no recreational use
- Signature Park standards analysis shows that all of the acreage has limited public access points

AUSTIN PARKS & RECREATION

Staff Recommendation

- Superiority could be reached if:
  - Parkland is provided at 10% above the required land dedication. This includes:
    - Placing the 2 acres of Flex Space in the Signature Park
    - Adding approximately 3 acres to the Signature Park with more street frontage and usable play space away from residences
    - The exact number of dwelling units is required for PARD to make the exact PLD calculation
  - A trail is built that connects the development to the Shoal Creek Greenbelt at Jefferson Street south of the development;
  - Removal of the residential uses around the Neighborhood Park to make the park more public and allow for full use of all the acreage or create a larger buffer from the homes;
  - Continue to include at least $750 per unit on park development

AUSTIN PARKS & RECREATION

THE GROVE AT SHOAL CREEK

PARKLAND AGREEMENT TERMS

1. Applicant: Similar to Whisper Valley Parkland Agreement
   PARD: A variety of formally approved Parkland Improvement Agreements may be considered.

2. Applicant: Establishes Developer and its successors at the Parks Operation Manager ("POM") OK
   PARD: OK

3. Applicant: Requires dedication of portions of the required City Parkland Areas in connection with approval of Site Plans as development occurs.
   PARD: A master park plan should be developed in phases. The phases should be established according to the number of units completed over time. This could be recorded and tracked by a spreadsheet. The first phase should be a park master plan that is approved by PARD.

4. Applicant: Requires developer to spend at least $750 per residential unit on park improvements. PARD: OK

5. Applicant: Developer responsible for design of parkland improvements but is subject to Design Guidelines, Parks Plan, PUD, safety requirements and must "serve citizens of the City and residents of the Project"
   PARD: The current Design Guidelines only address greenbelt trails and residential uses next to parks. The development team will need to acquire PARD's playscape, turf, amenity equipment and trail standards (or provide PARD an alternative to approve) and then add those standards to the Design Guidelines Section 5.2.2.

6. Applicant: City will get to review site plan with park improvements to insure requirements are met.
   PARD: OK

7. Applicant: Requires tree trimming plan and City approval of tree trimming
   PARD: OK

8. Applicant : City has to promptly review and not unreasonably withhold approval of site plan that meets requirements
   PARD: OK

9. Applicant: Allows the Developer, in compliance with PUD, to locate water quality, detention and drainage facilities, utilities, road crossings, wetland preservation, floodplain improvements, landscaping, trails, project signage in addition to park improvements and programming, in City Parkland Areas.
   PARD: PARD will not allow road crossing within the deeded parkland. Road crossings were allowed in the Whisper Valley Parkland Improvement Agreement due to its large size of 600 acres.

10. Applicant: City cannot alter or install new park or other improvements without developer approval
    PARD: PARD would like to have mutually agreed upon facilities. PARD staff will need City Legal advice on how to word this section to ensure the there is a mutual benefit.

11. Applicant: POM will be responsible for operation and maintenance at no cost to City
    PARD: OK

12. Applicant: Must comply with City Park Rules in Chapter 8-1 and Chapter 11-1 with respect to operations, maintenance and programming
    PARD: OK

13. Applicant: POM may establish additional Project Park Rules so long as they keep park fully open to public and do not conflict with City Park Rules
    PARD: The additional Project Park Rules will need to be approved by PARD.

14. Applicant: POM may schedule special events with 14 day prior notice to City and reservations must be consistent with PARD reservation policies
    PARD: Before PARD would agree to allow the POM to schedule special events, this requires more discussion within PARD. The issue is the type and size of such events.

15. Applicant: POM shall not be charged fees by the City for such programming in light of its taking on operations and maintenance
    PARD: Before PARD would agree, this requires more discussion within PARD. City Council would have to approve this action. This could be incorporated into the PUD agreement.

16. Applicant: POM can charge reasonable admission fees for special events to cover costs that involve payment such as for performers or entertainers
    PARD: Typically, special event fees are a General Fund revenue. This type of arrangement would have to be approved by City Council.

17. Applicant: Except for temporary private events that are reserved consistent with PARD reservation policies, special events shall be open to the public
    PARD: OK

18. Applicant: POM can allow concessions so long as concessions complement use of parkland and any concession fees go into park maintenance, operation and/ or improvements
    PARD: PARD would need to approve the concessions just as they do in the Whisper Valley and other agreements.

19. Applicant: PARD will have right and responsibility to enforce City Park Rules and penal ordinances related to public health and safety
    PARD: OK

20. Applicant: Developer shall be entitled to name the Signature Park so long as such name is not offensive to any racial or ethnic group or minority.
    PARD: The developer would have to comply with the City's Park Naming Code requirements.

City of Austin
Austin Energy
Town Lake Center • 721 Barton Springs Road • Austin, Texas 78704 - 1145

6/09/2016

Environmental Commission Motion Form 20160601 008b

Dear Environmental Commission,

I am writing to provide some background information and context for Austin Energy Green Building (AEGB) rating requirements and to provide staff's recommendation that the Grove Shoal Creek PUD comply with at least two star green building requirements.

An AEGB rating includes a core component of rating requirements and a menu of additional voluntary measures. The rating is broken into categories: Site, Energy, Water, Indoor Environmental Quality, Materials and Resources, Education and Equity and Innovation. Achieving the rating requirements alone is a significant effort compared to building to code, and earns a project the designation of a One Star AEGB Rating. Rating requirements include achievement in Energy, Water, Indoor Environmental Quality and Materials categories. A Two Star Rating is earned when a project earns approximately thirty-five percent (35%) of the additional measures and a Three Start Rating is earned when a project earns approximately forty-five percent (45%) of the additional measures. Those specific points a project pursues are entirely up to the project and their sustainability objectives, so the difference is first and foremost a matter of degree.

AEGB staff recommends a Two Star PUD requirement for the following reasons:

- An Austin Energy Green Building Two Star Requirement is considerably less demanding to administer through the building design and permitting process -, for both staff and the project team than a three star requirement. Any project which is required to achieve an AEGB rating must document that their design is on track to achieve the required rating for the scope of work being permitted at Permit Application and again at Certificate of Occupancy. In our experience, a Two Star project of any type or scope (including Shell Construction for speculative tenants) can document their rating by selecting points that are typically documented for any scope of work in the design phase or at building occupancy. Operational items that contribute to ratings are not typically determined within this scope of work or at these phases in the process so, they can be difficult to document and require additional documentation outside the scope of a standard permit set. Projects that are

on track for Two Stars during design phase often add some of these points later in the process, under separate permits and end up achieving Three Stars. Three Star requirements are particularly challenging for speculative development with unknown tenants as they must be designed for flexibility to accommodate a variety of real estate priorities or preferences. For example, green buildings are characterized by open offices to accommodate natural lighting and views to the outdoors, however, a medical office building must provide partitions to meet privacy standards. Austin Energy is committed to helping projects achieve the highest rating level they can achieve, however the timeline and sequence of the permitting process does not always align with the natural sequence for ratings. This is why LEED Green Building Certifications are often not earned until a year after building occupancy.

- The City of Austin (COA) is committed to continuous improvement of baseline building standards through a regular building code adoption cycle on which AEGB ratings are based. The COA is preparing to adopt the 2015 International Building Code and update the AEGB Ratings, raising the baseline for new projects.
- Limited Resources: At present, there are about 18 million square feet of commercial building projects in the AEGB program and staff is dedicated to the continued quality of services provided. Consulting on and reviewing a Three Star requirement project requires considerably more time on a tighter timeline than a Two Star requirement.
- AEGB staff's position is that the AEGB rating should be used to define, promote and further the City's sustainability goals. Any Austin Energy Green Building rated project represents a significant achievement in Energy Efficiency, Water Efficiency and Material efficiency. Green Building Ratings were conceived as voluntary programs to demonstrate leadership in the built environment and considerable work has been made to use these ratings in development requirements, however this is not the intended use of the program. Much experience and expertise has informed this recommendation for two star requirements.

Kind regards,

Kurt Stogdill
Manager, Green Building & Sustainability

MEMORANDUM

TO: Chuck Lesniak, Environmental Officer

FROM: Janna Renfro, P.E.
Watershed Protection Department
Environmental Resource Management

DATE: June 9, 2016

SUBJECT: **Erosion Evaluation of Shoal Creek at The Grove PUD Property**

Information Requested

As requested, staff conducted a preliminary analysis of erosion along Shoal Creek at The Grove property. This analysis supports the Environmental Commission's June 1, 2016 motion (Form 20160601 008b) for the applicant to "work with staff to develop a plan to conduct an erosion control study along the entire length of the development's Shoal Creek frontage." This memo summarizes the following information:

1. Potential impact of future erosion to the proposed parkland and riparian buffer
2. Geomorphic analysis of Shoal Creek on the subject property
3. Estimated cost of engineering solutions to repair or prevent erosion damage

Staff performed a preliminary analysis based on the visual record. The Watershed Protection Department does not have geotechnical information for the site, but staff is familiar with erosion patterns at similar sites in Austin. However, this is a planning level of analysis.

Erosion Impact

The potential impacts are visualized in the attached map and listed below:

- Loss of land to the streambed is mostly confined to current floodplain, which is dedicated parkland, but not credited parkland
- Riparian Grow Zone will be mostly eroded as the bank stabilizes
- Potential future trail conflicts exist
- Wet pond outfall will need to avoid areas of future erosion
- The past erosion rate is ~10 feet/year. The future erosion rate is dependent upon storm events.

Geomorphic Analysis

The geomorphic analysis considered aerial images from 1997, 2003, 2012, and 2015. Elevation data (City of Austin LiDAR) was used to truth the aerials for 1997, 2003, and 2012. For each of these years, the bed of the channel was identified to track meander bend migration and erosion progression. The channel alignment has remained mostly stable with the exception of the large meander bend that begins approximately 250' downstream of the 45th Street Bridge. This erosion is progressing both downstream and laterally inland.

Directly upstream of 45th Street, the channel is mostly situated in bedrock (Buda formation). On the subject property, the channel banks are Del Rio clay formation and vulnerable to weathering and erosion. The stretch of Shoal creek from 45th Street to 38th street is a relatively straight channel with mildly curved bends, suggesting that severe meanders are not likely to develop. It is possible that this particular erosion location is highly affected from the bridge hydraulics and sudden change in geology downstream of 45th Street.

While it is difficult to precisely predict the evolution of urban streams that are highly impacted by the built environment, the erosion does show a consistent pattern of downstream migration – approximately 175' in 18 years. It is reasonable to assume that this pattern will continue as shown in the attached map, with the rate of movement dependent upon storm events. The downstream migration is expected to taper off as the stream reaches a pattern that mimics the historically stable downstream conditions. It is also reasonable to believe that the erosion will stabilize as the influence of the bridge hydraulics lessens further downstream.

The erosion has progressed 125' laterally at the worst point. It is reasonable to believe that the lateral erosion rate will slow or stop as the channel widens and the radius of curvature of the bend increases, moving the channel towards equilibrium.

Once the channel toe has adjusted, the banks will relax to a stable slope, assumed to be 4H:1V. This is a conservative assumption, with a sufficient factor of safety. Geotechnical borings and soil testing could refine this value. The banks are approximately 20', so the top of bank could be 80' from the toe based on the conservative assumption. However, depending on soil conditions, the top of bank could stabilize closer to the toe.

The attached map shows two blue dotted lines that show the predicted toe of slope (light blue) and top of bank (dark blue).

Preliminary Cost Estimates

Three levels of projects could be considered to address this erosion should it be deemed a problem. A standard capital planning level cost estimate for streambank stabilization project assumes full bank restoration designed by an outside engineering firm and constructed by a private contractor. This project would be a major undertaking and likely excessive for the actual need; however it is used as a starting point and less invasive projects are considered based on a factor of reduction. A more detailed cost analysis could be developed given more time.

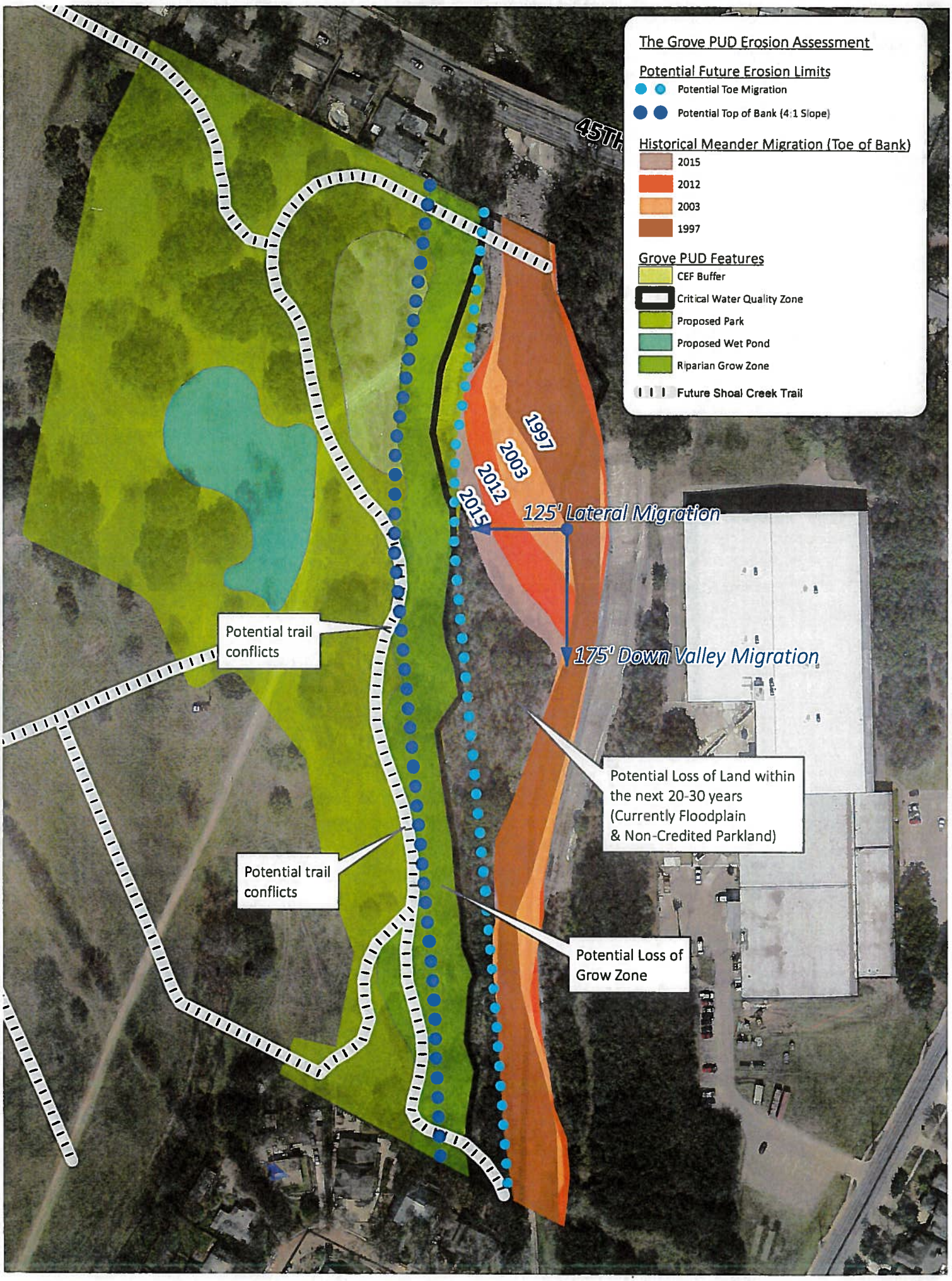
Costs to Stabilize 500' Meander Bend on The Grove Property:

Full bank restoration with engineered limestone block wall:	$1,800,000
Reinforced toe with vegetated banks sloped to 4:1:	$900,000
Redirective flow structures to prevent further loss:	$600,000

I am happy to answer any questions or provide further information, as needed.

Attachments: Map – The Grove PUD Erosion Assessment

CC: **Andrea Bates**
Mike Kelly


The Grove PUD Erosion Assessment
Potential Future Erosion Limits
Potential Toe Migration
Potential Top of Bank (4:1 Slope)
Historical Meander Migration (Toe of Bank)
2015
2012
2003
1997
Grove PUD Features
CEF Buffer
Critical Water Quality Zone
Proposed Park
Proposed Wet Pond
Riparian Grow Zone
Future Shoal Creek Trail
45TH
1997
2003
2012
2015
125' Lateral Migration
175' Down Valley Migration
Potential trail conflicts
Potential trail conflicts
Potential Loss of Land within the next 20-30 years (Currently Floodplain & Non-Credited Parkland)
Potential Loss of Grow Zone

From: Todd Shaw

ASSESSMENT OF GROVE AT SHOAL CREEK PLANNED UNIT DEVELOPMENT CONFORMANCE TO IMAGINE AUSTIN PLAN

Imagine Austin Background

The Imagine Austin (IA) is a comprehensive plan for Austin's future, describing the community's vision for the City to 2039. IA includes the following: Vision Statement accompanied by a series of principles that address the social and physical evolution of the City. One of the most important outcomes of IA was the Growth Concept Map which was created through an exhaustive public process and analysis by consultants, and Citizen Advisory Task Force. This map illustrates the desired manner to accommodate new residents, jobs, open spaces, and transportation infrastructure over the next 30 years. Activity corridors indicate the preferred areas for additional growth and connect hubs called activity centers of the following densities.

- Regional Center - range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs.
- Town Center - range in size between approximately 10,000-30,000 people and 5,000-20,000 jobs.
- Neighborhood Center –range in size between approximately 5,000-10,000 people and 2,500-7,000 jobs.

In addition to the Growth Map, the plan details a series of 8 building blocks also derived from public input. The building blocks are related back to the principles. Each building block includes a summary of key issues and challenges for the future, polices to address those challenges as well as best practices. There are 231 policy actions related to the building blocks.

The last section, again arrived at through public input, defines the priorities for IA. The priorities are:

1. Invest in compact and connected City.
2. Sustainably manage our water resources.
3. Continue to grow Austin's economy by investing in our workforce, education systems, entrepreneurs, and local businesses.
4. Use Green infrastructure to protect environmentally sensitive areas and integrate nature into the City.
5. Grow and maintain Austin's creative economy.
6. Develop and maintain household affordability throughout Austin.
7. Create a Healthy Austin Program.
8. Revise Austin's development regulations and processes to promote a compact and connected city.

However, Ms. Fox's evaluation did not assess the development in relationship to the surrounding neighborhoods. The importance of context and compatibility with neighborhoods is found throughout IA.

- p. 31. "Infill development and redevelopment in centers and along major roadways will be needed to meet the growing demand for higher-density, closer-in affordable housing. Creating harmonious transitions between adjacent neighborhoods is an important component of the development process."

- p. 118. Land Use Transportation Policy 4 – "Protect neighborhood character by directing growth to areas of change that includes designated redevelopment areas, corridors and infill sites. Recognize that different neighborhoods have different characteristics and new and infill development should be sensitive to the predominant character of these communities."

- p. 138. Housing and Neighborhood Policy 11 – "Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites."

- p. 117. Section 4 also provides best practices for development. The Best Practices for Compatibility and Neighborhood Transitions can be found, which demonstrates how ... "Transitions between commercial areas and adjacent neighborhoods received special consideration through moderate-intensity uses and design standards intended to step down intensity."

- p. 207. "Continued protection and preservation of existing neighborhoods and the natural environment must be considered top priorities of comprehensive revisions to the City Code. The consequences and impact of additional density and infill in existing neighborhoods must be carefully identified and analyzed to avoid endangering the existing character of neighborhoods and exacerbating community health and safety issues, such as flooding."

- p. 207. "Impacts on sustainability and livability by increased infill and density of units, including associated infrastructure costs and impacts on affordability, should be identified prior to adoption of a new city code. Modifications to the City code and building code should be measured with regard to their ability to preserve neighborhood character, consistency with adopted neighborhood and area plans, impact on affordability, and the ability of existing families to continue to reside in their homes."

- p. 228. Land Use and Transportation Priority Action 2 - "Promote diverse infill housing such as small-scale apartments, smaller-lot single-family houses, town and row houses, and garage apartments that complement and enhance the character of existing neighborhoods."

- p. 120. Land Use and Transportation Priority Action 26 – "Reduce noise pollution from transportation, construction, and other sources."

- p. 138. Housing and Neighborhood Priority Action 8 - "Encourage green practices in housing construction and rehabilitation that support durable, healthy, and energy-efficient homes."

- P. 139. Best Practice: "THE WORLD'S GREENEST NEIGHBORHOOD": SUSTAINABLE DESIGN AT DOCKSIDE GREEN, VICTORIA, BRITISH COLUMBIA." Example demonstrates a 1.3 million square feet mixed use development project that embodies best practices in sustainable design.

- p. 152. Conservation and Environment Priority Action 9 – "Reduce the carbon footprint of the city and its residents by implementing Austin's Climate Protection Plan and developing strategies to adapt to the projected impacts of climate change."

- p. 152. Conservation and Environment Priority Action 10- "Improve the air quality and reduce greenhouse gas emissions resulting from motor vehicle use, traffic and congestion, industrial sources, and waste."

- p. 191. Priority Program – "Sustainably manage our water resources."

- p. 201. Priority Program - "Develop and maintain household affordability throughout Austin." "High utility bills can be addressed by how we use water, electricity and natural gas."

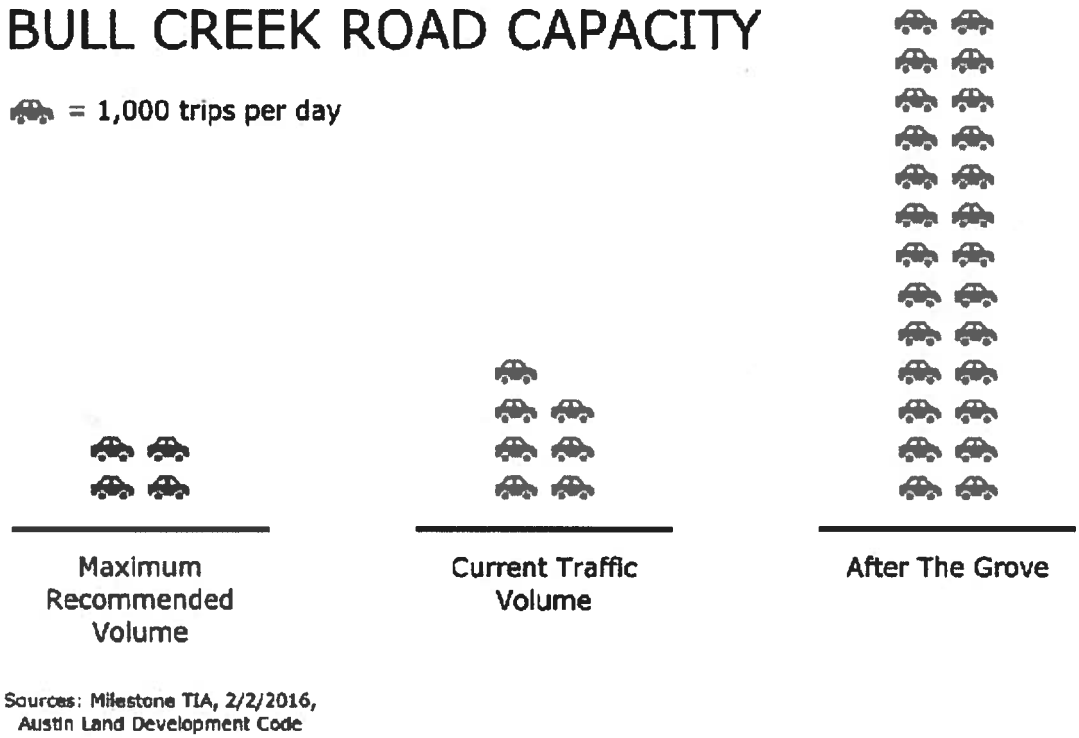
- p. 187. Invest in compact and connected Austin priority specifies that development should occur in activity corridors and centers identified on the Growth Concept Map so that the City can focus on directing its resources.

<u>Conclusion</u>

The latest March 2016 plans from ARG for the Grove at Shoal Creek PUD do not conform to the IA Plan. The Grove PUD is not located on an activity corridor or center identified in the Imagine Austin Plan. Imagine Austin does recognize infill of undeveloped properties in the urban core, such as the Grove, as an essential part of meeting the plan's 20 year vision. However, when City leaders decide on the size and scope of these infill projects, the priority for "compact" development must be balanced with the context of the surrounding uses, especially neighborhoods, as well as ensuring that the development will be sustainable. Furthermore, infill projects like the Grove PUD must be sensitive to the capacity for the surrounding neighborhoods to handle the increased density. Specific to this development, ARG and City staff must demonstrate that the development will not create traffic gridlock or make flood prone areas nearby even worse. Although the Grove at Shoal Creek does include some elements contained within Imagine Austin, ARG's latest plan is still not compatible with the surrounding neighborhoods and has not adequately addressed greenhouse gases, energy and water conservation, air pollution, and noise.

ATTACHMENT 2

COMPARISON OF CURRENT TRAFFIC ON BULL CREEK RD. TO TRAFFIC AFTER THE COMPLETION OF THE GROVE



Sources: Milestone TIA, 2/2/2016, Austin Land Development Code

3/26/2016

Ridgelea Neighborhood Association Revised Position Statement on The Grove at Shoal Creek Planned Unit Development

September 13, 2016

The Ridgelea Neighborhood Association (RNA) remains in support of a neighborhood scale mixed-use development at the Grove consistent with the Imagine Austin Comprehensive Plan and Bull Creek Road Coalition (BCRC) Design Principles.

This document refines the RNA position on changes that should be made to The Grove to meet the "superiority" requirement for PUD approval. It has been updated to reflect changes to the PUD proposed by ARG in the "Response to Ridgelea position". RNA appreciates the progress that has been made on some relatively minor issues but is disappointed that there has been no substantive progress on the issues of achieving a "superior" development with regards to the issues of traffic mitigation and park land. The RNA continues to be an active and supportive member of the BCRC and urges Council to address all the concerns raised by the BCRC in addition to making the specific changes to the PUD summarized below.

1. **Traffic and safety**

- In order to ensure these issues can be addressed a Traffic Mitigation Fund should be included in any PUD approval. A minimum fund of $6 million should be provided based on the scope of currently unfunded improvements recommended in pages 28 - 31 of The Grove Multi-Modal Study http://www.thegroveatshoalcreek.com/multi-modal-plan/
- Reduce allowable office space to no more than 200,000 sf to reduce peak traffic.
- Proposed TDM plan submitted by ARG is a good starting point but unfortunately does not have any clear goals and very few commitments. The plan should be updated to include flexible results based funding, specific trip reduction targets and mandatory monitoring/reporting. The targets should be based on reducing the Transportation Impact Assessment (TIA) trip generation figures by at least 30%.
- RNA had requested a limit on 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. The proposal from ARG to cap any single occupant retail to 37,500 sf is acceptable provided it is incorporated as an enforceable condition of approval in any PUD approval.

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.
- Ridgelea supports implementing robust water / runoff management programs that will ensure the safety of the downhill neighborhoods and preserve Shoal Creek banks.

3. Noise control

- RNA had requested a Noise Mitigation Plan to minimize impact to surrounding neighbors during and after construction that addressed known high noise generators such as construction staging areas, construction and long-term loading/delivery areas; and that placed reasonable limits on days/hours for outdoor amplified music. The proposal from ARG that includes "no noise or musical instrument between 10:00 pm and 7:00 am", "no equipment producing sound in excess of 80 decibels", and "the Grove will locate construction staging areas for site development and commercial building construction a suitable distance from RNA" would help address noise concerns and should be added as a condition of any PUD approval.

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

- Increase usable public space by approximately two (2) additional acres to accommodate an unlit level, open playing field area.
- 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.

Respectfully yours,
The Ridgelea Neighborhood Association Executive Committee

SHOAL CREEK CONSERVANCY

Vision: Shoal Creek will be a vibrant corridor that integrates the flow of water and people, engages the community, and inspires the public.

The mission of the Shoal Creek Conservancy (SCC) is to *restore, protect, and enhance the ecological, social, and cultural vibrancy of Shoal Creek for the people of Austin by engaging the public and partnering with the community.*

To achieve this mission, the SCC has established a number of specific goals. Any concerns or objections to a proposed project or impact to the creek will be considered within the context of these goals. Any public statement made or position taken by the SCC or a representative of the SCC will be consistent with these goals.

The following list of goals is a work on progress. From time to time, the SCC may amend this list to better reflect the efforts and the aspirations of the organization.

Goals Statement

Water Program

Water Quality

The Clean Water Act (CWA), including the sweeping amendments to it passed in 1972, requires that all states restore their waters to be "fishable and swimmable." Most of Shoal Creek is impaired. The SCC will work with the City of Austin (COA) and landowners adjacent to the creek to restore Shoal Creek waters to a quality that is fishable and swimmable.

Goal: Shoal Creek will be fishable and swimmable.

Stormwater Management

SCC will work with the COA and public and private stakeholders in the short-term to eliminate the risks of flooding from 10-to-15-year rain events. SCC will work with the COA and public and private stakeholders to eliminate the long-term risks of flooding from a 100-year rain event.

Short-term Goal: Eliminate flood risks from 10-to-15-year rain events.
Long-term Goal: Eliminate flood risks from 100-year rain events.

Parks and Trails Program

Parks

Austin is among the fastest growing metropolitan areas in the country, and the Shoal Creek watershed is one of the fastest growing areas of Austin. The watershed suffers from an deficit of parks and parkland.

Goal: Increase parkland and green space in the Shoal Creek watershed.

Goal: Enhance the quality of the parks that currently exist.

Goal: Engage the public in park conservation, enhancement, and support.

Trails

Shoal Creek offers Austin the unique opportunity to connect Lady Bird Lake, downtown, the University of Texas, west Austin neighborhoods, the near northwestern neighborhoods, and the major commercial and employment centers just for north of 183 with a continuous hike-and-bike trail.

Goal: Complete the Shoal Creek hike-and-bike trail the entire length of the watershed from Lady Bird Lake Butler Trail to the Northern Walnut Creek trail.

Goal: Upgrade the quality of this trail.

Nature Program

Imagine Austin, Austin's most recent comprehensive plan, envisions a city where "our open spaces and preserves shape city planning, reduce infrastructure costs, and provide us with recreation, clean air and water, local food, cooler temperatures, and biodiversity." Shoal Creek is one of the most significant stretches of green space in the urban core. For nature to thrive in Austin, the Shoal Creek corridor and its habitats will need to remain vibrant and interconnected.

Goal: Restore Shoal Creek, where possible, to its natural state.

Goal: Eliminate invasive species.

Goal: Engage the public in appreciating and conserving the biodiversity of Shoal Creek through education and interpretation.

History Program

The history of Austin and the history of Shoal Creek are intertwined. From Austin's founding at Waterloo (located near the mouth of Shoal Creek), Austin's history is seen in Shoal Creek's bridges and architecture.

Goal: Restore and improve the areas surrounding the bridges of Shoal Creek, beginning with the 1887 West 6th Street Bridge.

Goal: Engage the public in appreciating and preserving Shoal Creek's historical resources through education and interpretation.

M&H
McLEAN & HOWARD, L.L.P.
Real Property Lawyers

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

September 12, 2016

Mr. Robert J. Spillar, P.E., Director
Austin Transportation Department
City of Austin
3701 Lake Austin Blvd.
Austin, Texas 78703

via email at rob.spillar@austintexas.gov

RE: Withdrawal of July 21, 2016 TIA Addendum for The Grove at Shoal Creek PUD; City of Austin File No. C814-2015-0074

Dear Mr. Spillar:

As you recall, on or about July 21, 2016, my client ARG Bull Creek, Ltd. (the "Applicant") submitted an "Addendum to The Grove at Shoal Creek Traffic Impact Analysis" prepared by James Schwerdtfeger, P.E. On behalf of the Applicant, please be advised that the Applicant is hereby withdrawing the Addendum and asks that the City take no further action regarding it.

The purpose of the Addendum was ***not*** to serve as a new or substitute analysis to the existing approved traffic impact analysis ("TIA") for The Grove at Shoal Creek PUD. The approved TIA remains in full effect and is the operative TIA that governs traffic mitigation for this project as reflected in the City's TIA Memo dated July 11, 2016. The currently approved TIA requires a very, very small amount of additional right-of-way to accommodate a 4-lane north bound Bull Creek Road configuration. As a result, the City's TIA Memo noted that if right-of-way were unavailable at the time of site plan review, such unavailability "may affect site plan review and approval."

The Addendum was, therefore, submitted for the sole purpose of demonstrating that a 3-lane north bound Bull Creek Road alternative approach could mitigate traffic at the 45th Street and Bull Creek Road intersection without any right-of-way being required from the lot located at 2645 W. 45th Street. The Addendum only presented an alternative for staff to consider that did not involve right-of-way in an effort to answer any concerns about the unavailability of the right-of-way in the future.

I am very pleased to report that the Applicant has now entered into a contract to acquire the entire 2645 W. 45th Street lot. As a result, the Applicant can confirm that any right-of-way required by the approved TIA is fully available and the Addendum is no longer necessary. For these reasons, the Addendum is hereby withdrawn and there is no further need for the City to

review the Addendum. The TIA as currently approved by City staff, reflected in the TIA Memo of July 11, 2016, and recommended by the Zoning and Platting Commission shall continue to apply to the project.

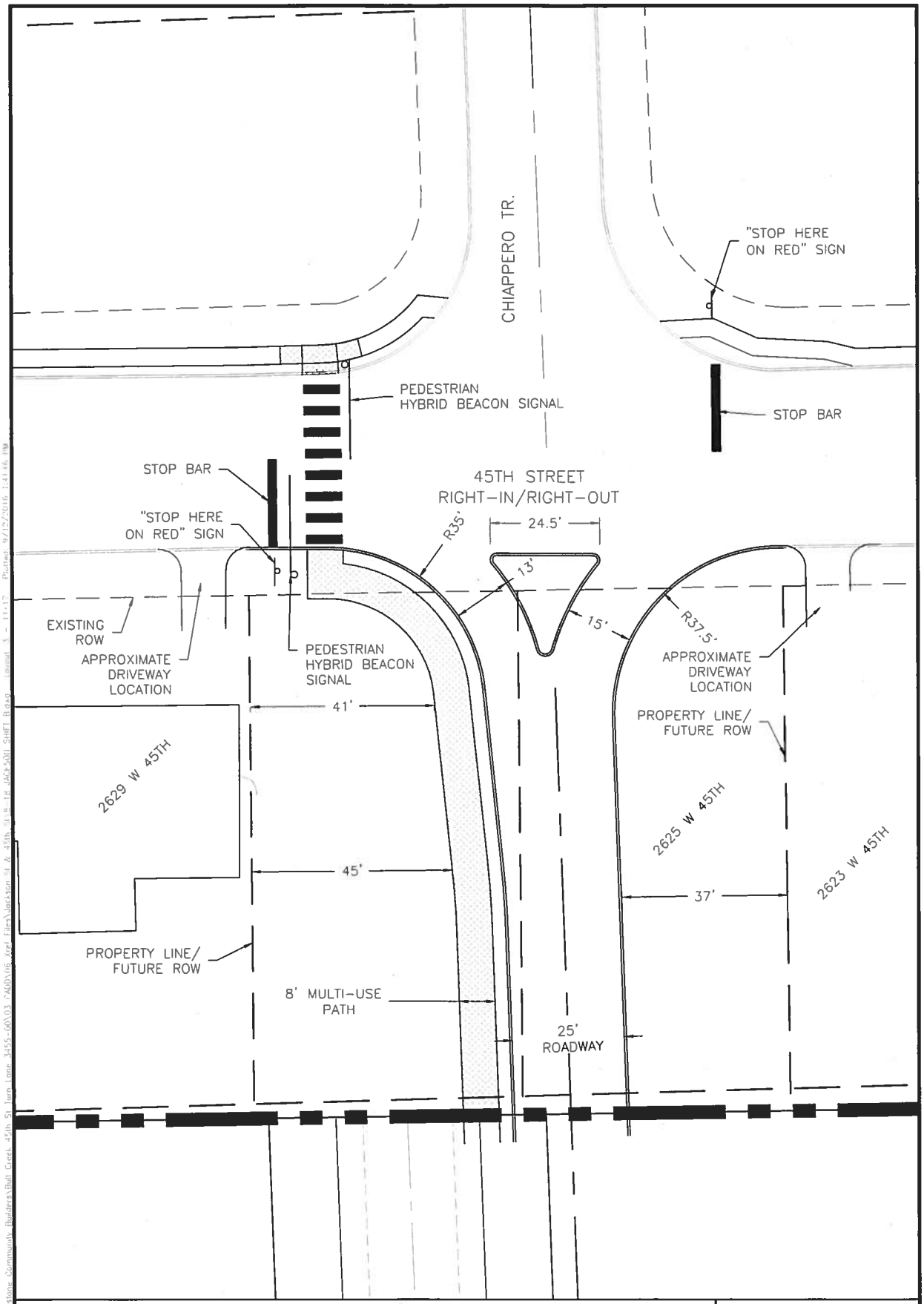
Notwithstanding the foregoing, and for clarification, the most recently proposed intersection of Jackson Avenue and 45th Street that is being considered by staff simultaneously with the Addendum remains the Applicant's proposed configuration of that intersection. That proposed intersection will be (i) right-in, right-out only, and (ii) aligned with Chiappero Street, as depicted in the attached conceptual design. The City's TIA Memo calls for this connection, and the enclosed conceptual design was provided to staff to answer any questions over how this connection might occur. Withdrawal of the Addendum does not mean that this connection or the proposed configuration is also being withdrawn. The Applicant understands that the enclosed conceptual design of this intersection has, subject to review and approval of final construction drawings, been accepted by the City staff as a generally and conceptually feasible approach to this intersection.

If you should have any questions or comments, please do not hesitate to contact me. Thank you and all of your staff for your consideration of this matter.

Sincerely,

Jeffrey S. Howard

cc: Rodney Gonzales, Development Services Department
Andrew Linseisen, Development Service Department
Greg Guernsey, Planning and Zoning Department
Jerry Rusthoven, Planning and Zoning Department
Eric Bollich, Austin Transportation Department
Garrett Martin
Ron Thrower
Robert Deegan
Brian Williams



CONCEPTUAL ROADWAY PLAN

THE GROVE
JACKSON STREET & 45th STREET

BROWN & GAY ENGINEERS, INC.
7000 NORTH MOPAC, SUITE 330 AUSTIN
TX 78731 TBPE Registration No. F-1046
TEL 512-879-0400 www.brwngay.com

BGE

MICHAEL CURRY

512-474-5573 3307 Bryker Dr. Austin, Texas mcmediate@msn.com

August 8, 2016

Mayor Steve Adler and
Members of the Austin City Council
301 W 2nd St
Austin, 78701

Re: C814-2015-0074 - The Grove at Shoal Creek PUD

Dear Mayor Adler, Mayor Pro Tem Tovo and Members of the City Council:

One cannot ride the same horse in opposite directions at the same time. But that is what the applicant is asking the Council to do. At the same time that the Council is promoting a $720,000,000 bond package to improve traffic problems, the Council is being asked to approve a PUD that will create new traffic problems to replace those that the taxpayers are paying to cure. Such a self-defeating approach to traffic planning and fiscal stewardship makes no sense and will cast a shadow on the bond proposal. Worse, approving the PUD as proposed will negatively impact the lives of those who live in the homes and neighborhoods that are just yards from this massive project.

According to the ITE Trip Generation Handbook, 9th Edition, the Applicant's PUD will bring on average 19,442 new vehicle trips to Bull Creek Road every day. This is an adjusted number.[1] The unadjusted number is 23,959 new vehicle trips per day. When you deal on a regular basis in amounts measured in the millions it is easy to get inured to large numbers. But it is important to fully appreciate at a gut level the number of vehicles that will travel on Bull Creek Road if this PUD is approved as submitted. Each trip represents one vehicle with tires on the pavement entering or leaving the proposed site. If you line up 19,442 vehicles, with each of their bumpers touching, the line of cars will stretch 55 miles.[2] In other words, if the front of the line of cars is at Bull Creek Road and Jackson St – about the center of the project – the last car in line will be at Landa Park in New Braunfels in Comal County. To be clear, there will be half that

---

[1] There may be an explanation but on its face it is not clear that all of the adjustments (reductions) were properly calculated. To give an example, an assumption was made that the internal capture would be "10% for PM peak for office, residential, shopping center and supermarket uses." Testing this by looking just at the residential uses it seems that a 10% reduction was taken on the 24 hour count, not simply the PM peak count. The General Office generated trips were reduced by 311 trips, but the math to get there is not self-evident. Another example: the TIA allows "pass-by reductions" of 20% to 36% for peak times for certain uses. Pass-by trips are stops by vehicles already using the adjacent roadway which pull into the site on their way to another destination. The calculations are not shown but it appears that the TIA improperly applied these reductions to vehicles traveling on W. 45th St. which turn onto Bull Creek Road to enter the site. If so, these are not pass-by trips. These are newly generated trips onto Bull Creek Road. Allowing improper reductions would artificially lower the trip generation count for this project. The calculations need to be shown to verify the correctness reductions.

[2] According to reference.com the length of a standard car is 15 feet. 15ft x 19,442 = 291,630 ft. There are 5,280 feet in a mile. 291,630 ÷ 5280 = 55.23 miles.

number of actual project generated vehicles at the site on any given day but each vehicle will travel on Bull Creek Road twice: once entering, once leaving.[3] Those are just the trips generated by the PUD. In addition, there is the existing traffic on Bull Creek Road which is said to be approximately 7,000 vehicle trips per day according to CAMPO.[4] It would therefore appear that the number of vehicle trips on Bull Creek Road could total 26,442 per day. Our line of vehicles now stretches 75 miles or to the Loop 410 Exit in San Antonio in Bexar County.[5] And, that is assuming all of the trip adjustments were proper. This may be an appropriate time to note that the "desirable operating level" for Bull Creek Road is 1,800 vehicle trips per day.[6] In other words, the vehicle trips generated by the PUD are over 10 times (> 1,000%) the desirable operating level for Bull Creek. Combining those trips with the existing undesirable traffic load on Bull Creek Road, the resulting traffic count is potentially 15 times (≈ 1,500%) the desirable operating level.

The Applicant responds that the 19,442 trips will not be spread evenly over the entirety of Bull Creek Road but will be diced and spliced with the majority confined to the first 800 feet of Bull Creek Road south of 45th Street, one of the locations where they are providing additional turn lanes. This contention is grounded on two assumptions.[7] The first is one of the key assumptions in the TIA: the 19,442 new trips generated by the PUD will follow the current distribution of traffic.[8] TIA p. 11. In other words, the TIA generally assumes that this huge development[9] will generate traffic with the same trip origins and destinations, using the streets around the site in the same proportions (but in far greater numbers) as traffic generated by the area as it exists today with a mostly vacant 75 acre tract of land. We can all draw our own conclusions as to the predictive value of that assumption. The second assumption that follows the first is that over

---

[3] It is unclear what role the proposed Jackson Street extension plays in the traffic counts. It has alternatively been proposed and modeled as no connection, a right-in right-out connection, and right-out only connection. In Staff's July 11, 2016 Memo, they note that only 150 vehicles will enter a Jackson Street entrance off of 45th Street and that is "assuming they will travel through the [45th Street] intersection and use the new access point." In other words, virtually all of the vehicles accessing the site will travel on Bull Creek Road because that is where the entrances are.

[4] The date of those Campo counts is not known to the undersigned. As discussed later, one of the more surprising things about the TIA is that, apparently, no daily traffic counts were collected along Bull Creek Road.

[5] It should be remembered that these are not vehicles on I-35, Airport or even Lamar Blvd. These are vehicles driving a few yards from residences and dealing with multiple entrance and exits, vehicles changing lanes or trying to turn left across traffic, delivery trucks, busses, pedestrian traffic, bicycles, and neighbors trying to get in or out of their neighborhood.

[6] Bull Creek Road is a two lane residential collector within the meaning of §25-6-114 with a pavement width, measured from gutter lip to gutter lip pursuant to the Transportation Criteria Manual, of 37 feet. Pursuant to §25-6-116 of the Code, the desirable operating level of a residential collector with a pavement width of less than 40 feet is 1,800 vehicles per day.

[7] Assumptions are just hypothetical facts. While, in fairness, you have to make assumptions to prepare a TIA, the flip side of that is that TIAs are no better than the assumptions on which they are based. There are real life consequences when those assumptions are wrong.

[8] TIA p.11. Some unspecified amount of additional traffic from MoPac was assumed.

[9] From the July 11, 2016 Staff Memorandum: "The proposed development will be mixed use, and include up to 110 single family dwelling units, 600 apartments, 425 condominium/townhouse unites, 600 congregate care units, 25,000 SF of medical office, 200,000 SF of general office space , 55,000 SF of retail (shopping center) and 35,000 SF of supermarket land uses, plus pharmacy, bank, and other retail and commercial land uses." Note that there will be vehicle trips originating from the site – something that does not exist now.

60% of the vehicle trips will enter from 45th Street and utilize Driveway 1.

It is possible that both of the aforementioned TIA assumptions will prove to be correct and the corresponding steps to mitigate the resulting traffic conditions adequate. But to protect the public the Council must plan for the equal likelihood that these assumptions will turn out to be incorrect and possibly wildly incorrect. For example, if only one-half of the vehicles exiting W. 45th St. use Driveway 1, an additional 6,000 vehicle trips will impact Bull Creek further to the South. Or if the percentage of vehicle trips originating on 45th Street is far less than assumed, then the vehicle trips on the southern portion of Bull Creek will be far greater than assumed. The list of ways and the degrees to which these and other assumptions in the TIA could be wrong, and the impact on the analysis when they are, is endless.

It is one thing to put all your chips on assumed future facts in cases when, for example, the project involves a smaller number of vehicle trips or the project is located on or between major arterials and not bordered by neighborhood streets and homes. If the assumptions are not perfect the impact is not devastating. In this case, the magnitude of the trips, the proximity of the neighborhoods and the residential nature of the streets do not afford anywhere near the same margin of error. The stark contrast between the current and proposed uses does not allow the same level of confidence in the trip distribution assumptions. Since, fundamentally, we cannot know in this case what volumes on which segments of what streets the site generated traffic will flow, the only prudent approach to public safety and welfare is to employ the one technique that will serve to mitigate the impact of the site generated traffic for all assumptions – decreasing the site generated trip levels. This mitigation technique, the first one mentioned by the Code in §25-6-142, increases the margin of error and decreases the magnitude of unintended serious adverse traffic impacts.

One of the most revealing things about the TIA is the failure to discuss traffic volumes along Bull Creek Road and the impact that the level of traffic will have on the livability of nearby neighbors. Although it may have been missed by the undersigned or withheld by the Applicant it does not appear that current daily traffic counts were even taken on Bull Creek Road. Yet, Bull Creek Road is the location of the five primary entrances and exits from the project. Whether required by the Code or not clearly the impact of the PUD on the desirable operating level of Bull Creek Road which adjoins or runs through three neighborhoods and connects to multiple neighborhood streets should have been considered and discussed in the report. It is almost inconceivable that a Neighborhood Traffic Analysis was not conducted for Bull Creek Road.[10]

As a matter of fact, §25-6-114 of the Code requires a Neighborhood Traffic Analysis for residential local or collector streets "along which 50 percent of the frontage located: 1500 feet

---

[10] The TIA purports to do a one page Neighborhood Traffic Analysis for several neighborhood streets connecting to Bull Creek (not including Bull Creek). See TIA p. 32. Vehicle trips were assigned to two of the streets (41st and 42nd). Coincidentally, those assumed trips did not raise the combined vehicle trips on those streets above their 1,200 desirable operating levels. No project generated vehicle trips were given for the four other streets. No explanation was given for where the assigned numbers came from or how they were arrived at. As such the analysis was neither helpful nor persuasive. Jackson St. was also assigned 2,746 trips which combined with background traffic brought it to over 4 times the desirable operating level. It is also unknown where that assigned number came from.

or less from the proposed project's property line has an SF-5 or more restrictive zoning designation." Bull Creek is a residential collector street. More than 50% of the frontage on Bull Creek Road measured from points 1500 feet north and south of the project is SF-5 or more restrictive zoning. And, each segment of Bull Creek that meets the criteria is to be considered separately. See §25-6-114 (E).

Section 25-6-116 provides that traffic on a residential local or collector street such as Bull Creek is operating at a desirable level if it does not exceed 1,800 trips per day. See footnote 6. The 1800 trip threshold is meant to include the projected traffic generated by a project combined with existing traffic on the road in question. It has been suggested that since the traffic on Bull Creek Road is already in excess of the desirable operating level that that issue is moot. The exact opposite is true – our concern for the operating level of Bull Creek Road should be increased, not decreased. When the canary drops dead the coal miners don't worry less, they worry more.

There is plenty to worry about here and, as discussed above, the TIA does little or nothing to address those concerns but is reduced to the role of a fig leaf providing cover for a bad decision. The irony is that for all of the ink spilled in and about the TIA, including in this letter, no one needs a traffic impact analysis to know that a project of this size in this location is going to cause massive traffic problems that will adversely affect the safety and livability of the surrounding neighborhoods. We may not be able to operate the Synchro traffic modeling program but we can operate a motor vehicle. We may not be traffic engineers but we are adults. We may not be able to put a precise number on it but we know from our own life experiences that the amount of traffic generated by the development of the size proposed here (see footnote 9) will overwhelm Bull Creek Road and the connecting streets and create new traffic problems in a City that already has way too many.

The proponents of the PUD really have no answer to this. Instead they point to promised benefits such as some measure of affordable housing. Affordable housing is an extremely important issue and to be clear any affordable housing component will not be the source of the traffic problems. What will be the source of the traffic problems is the massive over-development of the other components of the PUD. We cannot build any momentum toward solving important problems in our community if the cost for doing so is creating significant new problems. We cannot address our challenges and further a shared vision by pitting well-intentioned community members against each other in the pursuit of profit.

I hope that the Council will bring the community together around a project that retains what is good about the proposal but with an overall scale that is not damaging to those living around it. To do so will take a significant reduction in size and/or a change in the mix of uses to drive a significant reduction in site generated vehicle trips. If that is done, it will be something that everyone can be proud of. If there is not a willingness on the part of the Applicant to do that then regrettably the Council must summon the courage to say "no."

Respectfully submitted,

Michael Curry

Michael Curry

MEMORANDUM

TO: Mayor and Council

FROM: Rodney Gonzales, Director, Development Services Department (DSD)
Rob Spillar, Director, Austin Transportation Department (ATD)

DATE: May 9, 2016

SUBJECT: Grove at Shoal Creek Traffic Impact Analysis

CC: Marc Ott, City Manager
Sue Edwards, Assistant City Manager
Robert Goode, Assistant City Manager
Greg Guernsey, Director, Planning and Zoning

This memorandum provides information regarding the Traffic Impact Analysis (TIA) review for the Grove at Shoal Creek Planned Unit Development (PUD) and related transportation issues.

TIA Review Process and March 22, 2016 Meeting with Applicant

The TIA review process began with the submittal of the PUD Development Assessment on April 3, 2015. Over the last approximately 12 months, the TIA has been through four formal review cycles; meetings with the applicant, interested neighbors and the Bull Creek Road Coalition (BCRC); multiple revisions; and review of informal submittals.

Staff from the Development Services Department and Austin Transportation Department (ATD) extensively reviewed the TIA. The applicant has been required to provide much more detailed transportation information than a typical PUD to ensure adequate right-of-way and acceptable operations for improvements proposed to mitigate the traffic impacts of the project.

On February 2, 2016, the applicant submitted an updated TIA. Due to interdepartmental discussion on several major elements of the TIA, comments had not been released as of March 21, 2016. On Tuesday, March 22, 2016, staff from ATD, DSD and the Planning and Zoning Department (PAZ) met with representatives and transportation consultants for the Grove, at the applicant's request, to discuss the transportation elements of the PUD.

Staff present at the meeting were Eric Bollich, PE, PTOE, Managing Engineer, ATD; Annick Beaudet, AICP, System Development Division Manager, ATD; George Adams, CNU-A, Assistant Director, DSD; Andy Linseisen, PE, Managing Engineer, DSD; Bryan Golden, Transportation Reviewer, DSD; and Jerry Rusthoven, AICP, Current Planning Manager, PAZ. Scott James, PE, Transportation Engineer, DSD, was invited to the meeting but could not attend due to a conflict.

This meeting has been portrayed as being inappropriate or favoring the applicant and this is not the case. It is neither unusual nor inappropriate for senior staff to meet with an applicant to discuss the details of a project, and this is routine. For a project of this size, scope, complexity and controversy it is incumbent upon senior staff to be fully informed and responsible for key decisions. At the March 22nd meeting, the applicant agreed to provide substantial additional improvements not previously committed to, which include the following:

- Dedication of Jackson Street as public street and provision of a public roadway connection to 45th Street;
- Dedication of a 5 foot public access easement at the northwest corner of Bull Creek Road and 45th Street;
- Construction of a shared-use path for bicycles and pedestrians along Bull Creek Road as a protected facility;
- Dedication of public access easements to Shoal Creek at the north and south end of the property for bike and pedestrian facilities;
- Funding of design and construction of a bike and pedestrian bridge over Shoal Creek;
- Minimum geometric standards for internal private streets; and
- Establishment of a cap on the Phase 1 development prior to completion of the improvements to Bull Creek Road and the intersection of Bull Creek Road and 45th Street. The final cap is to be established as part of the Traffic Phasing Agreement.

The applicant's agreement to provide the above improvements, in addition to previously identified improvements, allowed ATD and DSD staff to determine the project was mitigating the traffic impacts of the proposed development and to advance the transportation review process subject to conditions outlined in the staff comment memo dated March 25, 2016. A list of transportation improvements proposed by the applicant and the March 25 Memo is included as attachments. Remaining transportation issues which are to be finalized prior to third reading of the PUD ordinance include requirements for fiscal posting and phasing of construction for required improvements, which will be outlined in the Traffic Phasing Agreement that will accompany the final PUD Ordinance.

As noted in the staff comment memo dated March 25, 2016, comments related to detailed design requirements were deferred to the subdivision construction and site development permit review. These comments will be issued to the applicant under separate memorandum (attached) and will be required to be addressed as part of ATD and DSD review of detailed construction plans for the proposed improvements. Deferral of the final design of these improvements has also been portrayed as favoring the applicant; however, this is standard practice for PUD and conventional zoning cases. The alternative is to require the applicant to design and engineer, at significant cost, transportation infrastructure improvements prior to Council review or approval of zoning entitlements for the property.

Public Street Connection to W. 45th Street

Representatives from BCRC and neighborhood residents have expressed concern over a proposal to provide a public street connection from Bull Creek Road, through the Grove property, and connecting to W. 45th Street where a single-family residence is currently located. The applicant acquired the property at 2627 W. 45th Street in April 2015 for the purpose of

providing access between the proposed PUD and W. 45th Street. The applicant presented their Master Plan showing the proposed street connection to the BCRC in July 2015 and identified the street connection as an option for staff consideration. The Alternative Vision plan proposed by BCRC (http://www.bcrcatx.org/alt-vision/) also shows a pedestrian and bicycle connection through the property at 2627 W. 45th Street.

The proposal was idle for many months as no additional analysis was provided and the focus was on other potential transportation improvements. As part of their February 2, 2016 TIA submittal, the applicant provided an analysis of the W. 45th Street connection, and staff was able to determine this provided measureable improvement for traffic circulation. Based on this determination, staff recommended including the street connection as part of the transportation improvements.

The property at 2627 W. 45th Street is 59.8' wide. If utilized as a street, the proposed ROW width of 59.8' is greater than the typical 50' ROW width common to other local streets in the area. It is anticipated that this connection will be designed as right-in, right-out only and will be limited to passenger and emergency services vehicles. Staff has requested a preliminary design from the applicant and will evaluate the proposal in more detail prior to review by the Zoning and Platting Commission.

Additional Questions Asked by the Community

Two questions have been asked by the community regarding the process for review and approval of TIA's. The first is which department has authority over the TIA Application? In the case of TIA's, the responsible Director refers to the Director of the Austin Transportation Department.

The second is related to Land Development Code Section 25-6-141. In the zoning context, Chapter 25-6 affords Council the legislative discretion to approve an application if it finds that adverse traffic effects are "satisfactorily mitigated" or that additional traffic will have "an insignificant effect on a residential street." That standard, which is the basis for staff's evaluation, does not prevent approval of a zoning case where adjacent roads are operating below the standards established by Section 25-6-116 (*Desirable Operating Levels for Certain Streets*).

Additional Analysis Requested by Council Member Pool

In a letter to the City Manager dated April 13, 2016, Council Member Pool made the following transportation-related requests. A brief response to each of the requests is provided below.

Analysis of Jackson Avenue Connection to W. 45th Street

As mentioned above, staff has requested the applicant provide a preliminary design of the proposed Jackson Avenue street connection to W. 45th Street. As of May 6, 2016, staff has not received the preliminary design from the applicant. Once provided, staff will evaluate the proposal in more detail prior to review by the Zoning and Platting Commission.

Full Build-Out Analysis of Jackson Avenue

The applicant has proposed mitigation at the intersections of Jackson Avenue/35th Street and Jackson Avenue/Bull Creek Road, including modified lane configurations and signalization,

respectively. ATD and DSD deem this mitigation as acceptable under future traffic conditions. Streets can typically accommodate thousands of daily vehicles and are constrained by their intersections. Because the intersections of Jackson Avenue with 35th Street and Bull Creek Road are projected to operate acceptably under build-out conditions, further mitigation measures have not been identified at this time. However, ATD and DSD are requiring that Jackson Avenue be evaluated when the intersection improvements are needed to determine whether additional measures, such as traffic calming, would be appropriate.

Adequate Right-of-Way for Improvements Proposed to the Intersection of W. 45th and Bull Creek Road

The applicant submitted a preliminary layout of the proposed intersection which shows existing and proposed rights-of way and easements for improvements. The applicant has indicated they are working to acquire necessary easements or right-of-way on the southeast corner to accommodate a proposed right turn lane from Bull Creek Road to eastbound 45th Street. The applicant is also obtaining an easement on the northwest corner to accommodate sufficient space for receiving the dual northbound to westbound left turn lanes. If the applicant is unable to acquire the needed land, a revised design or phasing of improvements to secure missing rights-of-way will need to be reviewed and approved by ATD and DSD.

TIA Phasing Agreement to be presented to ZAP

Staff is working with the applicant to formalize the terms of the TIA Phasing Agreement. If a draft is available at the time of ZAP consideration, staff will provide the draft agreement. The Phasing Agreement will be provided as part of City Council back up material for consideration of the PUD.

Proposed Bridge over Shoal Creek

The applicant will provide an engineer's estimate of the proposed bridge over Shoal Creek to provide pedestrian and bicycle connectivity between the project site and the adjacent Texas State Library and Archives Commission property. ATD and DSD will determine whether this estimate exceeds the maximum funding that the applicant is willing to contribute to construction of the bridge.

Median on Bull Creek Road at Oakmont Boulevard

A raised median is proposed on Bull Creek Road at its intersection with Oakmont Boulevard/W. 40th Street/Driveway 4. It would assist pedestrian crossings and prohibit left turns to and from Bull Creek Road.

Examples of other Street Widening

Streets are frequently widened within the City's right-of-way to accommodate additional travel or turn lanes. A comprehensive database of examples is not maintained.

Next Steps

Planning and Zoning Department staff, with assistance from other City departments, are formulating a PAZ recommendation for the Grove PUD. PAZ staff intends to meet with the applicant and interested parties prior to finalizing the recommendation. Once this is complete, the case will be heard by the Environmental Board, the Zoning and Platting Commission, and finally the City Council. The dates for these public hearings have not yet been determined.

I hope this provides useful information for your consideration. Please feel free to contact me at (512) 974-2313 or George Adams, Assistant Director at (512) 974-2146 if you have questions or concerns.

Attachments:

- List of Proposed Transportation Improvements
- March 25, 2016 Memorandum
- May 9, 2016 Memorandum
- Staff Response to Questions from Grayson Cox

List of Transportation Improvements Proposed for the Grove at Shoal Creek PUD May 6, 2016

1) Funding and construction of traffic mitigation improvements identified for Bull Creek Road.

Improvements include additional auxiliary lanes at Jackson Avenue and other site driveways, widening of Bull Creek Road between Driveway 1 and 45th Street, and dedication of right-of-way from the subject site to construct these improvements.

2) Funding and Construction of intersection improvements for 45th and Bull Creek Road.

Improvements include eastbound and westbound left turn lanes on 45th Street, additional northbound left turn lane on Bull Creek Road, and additional northbound right turn lane on Bull Creek Road as well as improved pedestrian crossings and reconstruction of sidewalk at all four corners of the intersection.

3) Dedication of right-of-way and construction of Jackson Avenue from Bull Creek Road to W. 45th Street.

4) Providing trail connectivity to Ridglea Greenbelt.

5) Constructing 12-foot Shared Use Path along Bull Creek Road.

6) Constructing 12-foot Shared Use Path along 45th Street Greenbelt.

7) Constructing protected southbound Bike Lane on Bull Creek Road in front of site.

8) Installation of Pedestrian Hybrid Beacon on Bull Creek Road and 45th Street to facilitate pedestrian connectivity.

9) Post fiscal for, and if easement obtained on State property, construct bike and pedestrian bridge across Shoal Creek and trail connection from bridge to Shoal Creek Blvd. Provide additional easement for access to Shoal Creek.

10) Bike lanes on major internal street cross-sections.

11) Contribution of $100,000 for neighborhood multi-model improvements.

12) Minimum geometric criteria for internal streets.

13) Funding and construction of traffic signal and intersection improvements at Jackson/Bull Creek Road and intersection improvements at 35th/Jackson.

14) Analysis of additional traffic mitigation on Jackson Avenue at full build-out.

16) Require shower facilities in offices to help facilitate bicycle commuters.

Date: March 25, 2016

To: Brian Williams, P.E. Brown & Gay, Engineering
James Schwerdtfeger, P.E., Big Red Dog Engineering

CC: Sherri Sirwaitis, Case Manager

Reference: Bull Creek Parcel (aka "The Grove at Shoal Creek")
CD – 2015 – 0009

Staff from the City of Austin Development Services and Transportation Departments have reviewed the revised Traffic Impact Analysis for the Bull Creek Parcel development proposal (hereafter called "The Grove") and offer the following comments:

GENERAL COMMENTS

A. Written approval from the Texas Department of Transportation (TxDOT) of the proposed Traffic Phasing Agreement is required for the proposed PUD as various state-maintained roadways are bordering the PUD area.

B. Pedestrian crossings should be identified and paired with the (proposed) location of transit stops. Provide map showing location(s) of transit stops (current and proposed). The TIA allows for a 5% transit reduction, assuming bus headways are decreased from current service levels. Applicant to provide final written confirmation from CapMetro that current and future services levels on Bull Creek Road will support the 5% transit reduction as presented in the TIA prior to final Council approval.

C. Comment cleared.

Development Services (Bryan Golden/Scott A. James):

DSD1. **Update 1** – After interdepartmental discussion, the proposed development shall dedicate Jackson Avenue as a public roadway to the City of Austin. As agreed by the applicant, Lot 43, Shoal Village Section 2, shall be dedicated as public right-of-way to the City of Austin for the extension of Jackson Avenue to 45th Street. Vehicular access at the intersection of 45th Street and Jackson Avenue shall be limited to "right-in, right-out only." Staff will review roadway design plans submitted by the Applicant as part of the subdivision and site development permit

process. A pedestrian hybrid beacon may be installed at the intersection of Jackson Avenue and 45th Street to facilitate pedestrian crossings across 45th Street. The timing of the installation of the pedestrian hybrid beacon shall be determined by the Austin Transportation Department.

DSD2. Comment cleared.

DSD3. **Update 1** - Project will be built in two phases: for initial 2018 build conditions (Phase 1), the improvement of the Bull Creek Road/45th Street intersection is required. The phase one improvements shall be inclusive of the following elements: dedication of right-of-way, bicycle lanes, medians, turn lanes, sidewalks, and trails. The details of the phasing and timing of the specific improvements will be finalized with the Traffic Phasing Agreement that accompanies the final PUD Ordinance per the comment below as DSD5. NOTE: TxDOT agreement of the terms of fiscal participation for off-site improvements is required.

DSD4. **Repeat comment** - 2024 build conditions (Phase 2) will include full width reconstruction of Bull Creek Road and improvements to Jackson Avenue. In accordance with ATD TIA Comment 3, the improvements to Jackson Avenue will be identified and addressed at the time of the warrant study to support the signalization of Jackson Avenue and Bull Creek Road.

DSD5. **Repeat comment** - Please provide a draft Traffic Phasing Agreement that clearly outlines the traffic improvements to be built for each phase of the development. NOTE: the traffic phasing agreement will require the approval from the COA Legal Department.

DSD6. Jackson Avenue should be extended to the north through the site from its intersection with Bull Creek Road to 45th Street as a public street, provided the following:

- The City approves the street design sections for the northern extension of Jackson Avenue in lieu of standard City street sections, as shown in the Design Guidelines; and
- The City agrees to provide code modifications to allow the Jackson Avenue right-of-way to be included in site calculations and to allow property on both sides of the northern extension of Jackson Avenue to be included in a single site. DSD and PAZ will determine how this provision is incorporated into the final PUD Ordinance.

DSD7. Other roadways in the project may be private roadways, provided the following:

- Public access and utility easements are provided for the entirety of the private street lengths, granting control to the City of Austin of all traffic elements for intersections between public right-of-way and any private streets/driveways within the development;

- Retail Streets, Green Streets, and Connector Streets shall be designed to include 50 feet minimum tangent for intersection approaches and a 100 feet minimum centerline radius for horizontal curves. Horizontal design geometry for these streets may be varied with approval of the Director.

DSD8. A note will be provided on the Land Use Plan and/ or a provision of the PUD ordinance will be provided stating the following:

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 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.

Austin Transportation Department:

For the proposed intersection of 45th Street/ Bull Creek Road:

ATD1. Comment cleared per Option 2 diagram provided.

ATD2. Comment cleared per Option 2 diagram provided.

ATD3. Comment cleared per Option 2 diagram provided.

ATD4. Comment cleared per Option 2 diagram provided.

ATD5. Comment cleared per Option 2 diagram provided.

ATD6. Comment cleared.

ATD7. Repeat comment - Projected volumes onto Jackson Avenue require mitigation measures along Jackson Avenue.

ATD8. Comment cleared.

ATD9. Comment cleared per Bull Creek Road diagram provided.

ATD10. Comment cleared.

ATD11. Comment cleared.

ATD12. Comment cleared per Option 2 diagram provided.

ATD13. Comment cleared per Option 2 diagram provided.

ATD14. Comment cleared per Option 2 diagram provided.

ATD15. Comment cleared per Option 2 diagram provided.

ATD16. Comment cleared per Option 2 diagram provided.

ATD17. Comment cleared per Bull Creek Road diagram provided.

General Comment
Additional comments from ATD are provided in the attachment. Staff reserves the right to conduct further review of the subject application with regard to geometric constraints that may arise due to inadequate or unavailable right-of-way that may affect the operational objectives of proposed infrastructure improvements. These elements may affect site plan review and approval, as they are considered integral to the viability of the subject development as proposed.

We thank you for the revised TIA submitted in support of this PUD application. City staff will continue to review elements of the proposal and the related Traffic Phasing Agreement. If you have any questions please feel free to contact me or Bryan Golden at (512) 974-3124.

Andrew Linseisen, P.E.
Managing Engineer
Division Manager, Land Use Review Division
Development Services Department

Attachment

ATTACHMENT: MEMORANDUM

To:	Andrew Linseisen, P.E. Development Services Department	Date:	March 25, 2016
		Project:	The Grove At Shoal Creek
CC:	Scott A. James, P.E., PTOE Development Services Department		
From:	Eric Bollich, P.E., PTOE Austin Transportation Department	Re:	TIA Comments (February 2, 2016 Revision)
		Page:	1 of 2

The Austin Transportation Department (ATD) has reviewed the February 2, 2016 revision of the traffic report regarding the *"The Grove at Shoal Creek, Traffic Impact Analysis"*, prepared by R-K Traffic Engineering, LLC. The following comments summarize our review findings.

TIA Comments

1. **Repeat comment** – The 2018 analysis does not include full build out of the Bull Creek and 45th street intersection. 2018 No Build forecasted operation of this intersection is not acceptable to ATD, regardless of the 2,700 daily trip threshold presented in the TIA. Based on the comprehensive review of the TIA and prior meetings with the Applicant and comments submitted to the Applicant, it is our understanding that this intersection will be fully built out to its ultimate design prior to the completion of Phase 1 of the development. We recommend that the Traffic Phasing Agreement include detailed analysis of the necessary improvements required prior to completion of Phase 1 and subject to ATD review and approval. .

2. It is unclear form the information contained in the TIA as to when the concrete safety barrier in association with the bike lane will be constructed along Bull Creek Road. Based on our meeting with the Applicant, the Applicant has agreed to construct this barrier when Bull Creek Road is reconstructed with proposed improvements.

3. **Repeat comment** – The TIA estimates 14% of site-generated traffic will use Jackson Avenue, more than doubling the total traffic volume on Jackson Avenue. While no additional analysis of Jackson Avenue is required at this time, based on the information submitted in the TIA and reviewed by staff, when a warrant study is conducted for the signal at Jackson Avenue and Bull Creek Road, the Applicant will also study Jackson Avenue south of Bull Creek Road to analyze and propose mitigation needed to address this increase in traffic.

Bull Creek Road/45th Street Intersection Plan – Option 1: Not recommended

1. This option, as presented, creates safety concerns by shifting northbound traffic through the intersection by approximately nine (9) feet.

Bull Creek Road/45th Street Intersection Plan – Option 2: Recommended

1. The small grass panels on the northwest, northeast, and southeast corners should be eliminated to allow for wider sidewalks and the placement of traffic signal equipment. In addition, the sidewalk easement that the Applicant has indicated needs to allow for the installation of traffic signal equipment.

Bull Creek Road Improvements Plan (comments start at the north and head south)

1. The PHB, crosswalks and landings are not shown at Driveway 1. Please show this information.

2. The traffic signal, crosswalks and landings are not shown at Driveway 2/Jackson Avenue. In addition, no information is shown on Jackson Avenue related to length of turn lanes and tapers. Please show this information.

3. The PHB, crosswalks and landings are not shown at Driveway 4. Please show this information.

Jackson Avenue / 45th Street

After interdepartmental discussion, the proposed development shall include Jackson Avenue as a public roadway dedicated to the City of Austin. As agreed by the applicant, Lot 43, Section 2, Shoal Village Subdivision, shall be dedicated as public right-of-way to the City of Austin for the extension of Jackson Avenue to 45th Street. Vehicular access at the intersection of 45th and Jackson Avenue shall be limited to "right-in, right-out only." Staff will review roadway design plans submitted by the Applicant as part of the subdivision and site development permit process. A pedestrian hybrid beacon may be installed at the intersection of Jackson Avenue and 45th street to facilitate pedestrian crossings across 45th Street at timing to be determined by ATD.

General Comment

Staff reserves the right to conduct further review of the subject application with regard to geometric constraints that may arise due to inadequate or unavailable right-of-way that may affect the operational objectives of proposed infrastructure improvements. These elements may affect site plan review and approval, as they are considered integral to the viability of the subject development as proposed.

MEMORANDUM

To: Jeff Howard
McLean & Howard, LLP

Date: May 9, 2016

Project: The Grove At Shoal Creek

CC: Sherri Serwaitis
Planning and Zoning Department

From: Eric Bollich, P.E.
Austin Transportation Department

Andrew Linseisen, P.E.
Development Services Department

Re: Detailed Design Comments

As part of the review of the February 2, 2016 revision of the traffic report regarding the *"The Grove at Shoal Creek, Traffic Impact Analysis"*, prepared by R-K Traffic Engineering, LLC, the Austin Transportation Department (ATD) has additional comments related to the final detailed design documents that must be addressed as part of the site plan review process.

ATD shall be distributed for review of all stages of the site development permit process related to the permitting of public infrastructure improvements and connections from the development to the surrounding public streets.

The following comments summarize items to be addressed as part of the site development permit submittals based on staff review of the current conceptual design submittals.

Bull Creek Road/West 45th Street Intersection Plan – Preferred Option 2

1. The northbound free right turn appears to be too narrow to allow for a WB-50 design vehicle to make the turn. The Applicant should provide further analysis verifying that a WB-50 design vehicle can be accommodated, or the lane should be widened by shifting the outermost curb and while not affecting the island curb line.

2. The northern curb face of the pork-chop island should be offset by two (2) feet from the travel lane for eastbound traffic.

3. On the eastbound approach, the 100 feet approach taper is insufficient in length. The taper length should be lengthened by narrowing the painted island.

4. All sidewalks must be five (5) feet minimum in width.

Bull Creek Road Improvements Plan (comments start at the north and head south)

The Applicant will include design plans addressing these comments, and those addressed by the ATD memorandum dated March 28, 2016 as part of the site plans.

1. The Applicant shall include a concrete safety barrier for the bicycle lane along Bull Creek Road as part of the design plans. This barrier shall be installed with the site development permit for the reconstruction of Bull Creek Road.

2. Tapers shown between the back-to-back turn lanes are insufficient in length. A single taper between the two turn lanes should be provided.

3. The 185 feet taper on the northbound left turn approach to Jackson Avenue is insufficient in length. Lengthen the taper and narrow the painted island.

4. Between Driveway 4 and Driveway 5, the Applicant is proposing a 10-foot wide southbound lane, 11-foot wide lane northbound with a 9-foot wide shoulder. The Applicant should revise the design to provide two 10-foot wide travel lanes and include a center two-way left-turn lane.

Vehicular connection to West 45th Street from Jackson Avenue Extension

1. The Applicant has purchased the lot at 2627 West 45th Street to provide approximately 60 feet of right-of-way and facilitate this vehicular connection. The Applicant has proposed only right-in, right-out turns at this new connection. The Applicant will provide design plans showing the geometric layout of this intersection as part of the site plans for the development. Plans will show how these turning movements will be restricted, which design vehicles can be accommodated, and how a future pedestrian hybrid beacon could be placed.

2. The site plan will include the proposed cross section for the Jackson Avenue Extension from Bull Creek Road to West 45th Street. At the connection to West 45th Street, the cross section of Jackson Avenue should be wide enough to accommodate emergency vehicles. Bicycles and pedestrians should be accommodated, preferably off the street on a shared-use path. The Applicant shall construct screening barrier with vegetation where right-of-way is adjacent to existing single-family dwellings as part of the design of the roadway.

Staff Response to Questions from Grayson Cox

Mr. Adams,

I received your contact info from Council Member Gallo's email below, and I very much appreciate the update you provided in her newsletter. I happen to live on W 45th Street directly adjacent to the proposed "The Grove at Shoal Creek," and I am also the vice president of the Bull Creek Road Coalition - a coalition of the seven neighborhoods surrounding this former State property.

I and many of my neighbors appreciate the work staff is doing on this very complex and contentious PUD, but we have some concerns about the latest traffic information from the applicant and City staff. If you or your staff could address the following questions, we would be most appreciative:

The latest (final?) City comments require a street be constructed through the existing home located at 2627 W 45th. This is understandably concerning to the hundreds of residents that live on 45th and within Shoalmont (south Allandale).

1. Has the impact of this proposed street extension to W 45th Street traffic and public safety been studied by the City or developer?

   The Applicant provided traffic analysis for this proposed connection and included it in Appendix J of the TIA. Comments remain on trip distribution assumptions and how existing travel patterns and intersection operations would change with the new connection between the Jackson Street/Bull Creek Road intersection and W 45th Street. The City has requested a schematic design from the applicant to enable additional analysis. The City is awaiting a response from the Applicant regarding these issues.

2. Specifically, 45th and Shoalmont residents utilize the gaps in traffic created by the split phasing at the 45th & Bull Creek Rd intersection to safely get in and out of their driveways and neighborhood streets. Has the impact to the safety of these turning movements been studied?

   It is the City's position that split-phasing is generally not desirable for traffic signal operation; the City is in the process of removing split-phasing wherever possible to increase signal efficiency and improve mobility. While specific traffic studies were not completed for traffic entering W 45th Street from intersecting streets, the City evaluated and rejected proposed options that would have impacted available gaps in traffic along W 45th Street, including at least one option to reconfigure the street to three lanes (one lane in each direction with center turn lane). The all-way stop at W 45th Street and Shoal Creek Boulevard will still create gaps in the traffic stream on W 45th Street for the traffic on the side streets.

3. The proposed street connection is also within the influence area of multiple existing street and driveway intersections. Has the impact to the safety of these intersections been studied?

   The Applicant provided traffic analysis at the intersection of W 45th Street / Bull Creek Road with the proposed geometry: eastbound and westbound single left-turn lanes, northbound dual left-turn and single right-turn lanes. The proposed configuration is expected to address the impact of additional traffic from the proposed development at this intersection.

The City reviewed the proposed design at the intersection of W 45th Street / Bull Creek Road from a safety perspective as well, including the three-lane section previously described. The City rejected the proposal because of the lack of gaps and reduced safety to drivers turning onto W 45th Street.

The subsequent proposal included eastbound and westbound single left-turn lanes, northbound dual left-turn and single right-turn lanes with a skew on the northbound approach. The City reviewed and rejected the proposed design because of safety concerns of the skew.

After several iterations of design options and review, the Applicant submitted the current option (Option 2). Upon review of the proposed option, the City conceptually accepted the proposed design.

4. Will the developer of The Grove PUD be allowed to proceed with building on this land if this street extension is found to be unsafe and/or infeasible?

   No – the City does not accept design(s) that jeopardize public safety. As noted elsewhere, the City has rejected several design proposals due to safety concerns identified by the City.

5. The required street at 2627 W 45th is, according to City comments and the developer's public presentations, going to be a "right-in, right-out" intersection approach.
   Could you provide examples of this type of intersection approach in Austin on a public street and the width of frontage they typically require?

   The City of Austin has required this type of approach at several intersections with public streets. The preliminary design still needs to be submitted by the Applicant and reviewed by the City before its approval. The design could consistent of a triangular raised island on Jackson Avenue or a linear raised curb on W 45th Street. The driveway at 5242 N Lamar Boulevard is an example of a triangular raised island with potential similar geometry.

6. Can you also provide the City's analysis that determined a right-in, right-out would be appropriate for this location?

   The Applicant conducted a traffic analysis to identify the impact of the right-in, right-out connection to W 45th Street, which the City reviewed. The proposed right-in, right-out connection is expected to improve the operation of the W 45th Street/Bull Creek Road intersection by removing some of the traffic load. The City has requested a schematic design from the applicant to enable additional analysis. If the proposed street connection is approved the Applicant will need to provide a final design for the City's review at the site plan review stage.

7. "Channelizing in areas too small to permit islands of adequate size" and "geometric design inadequate to accommodate the size and operating characteristics of vehicles" are listed as common errors in right-in, right-out channelization according to the National Association of City Transportation Officials. The Transportation Research Board provides similar guidance. Has the City studied the feasibility of the geometry of this intersection approach considering the 60 feet SF-2 lot width and the adjacent SF-2 lot improvements (homes, driveways, etc.) on each side of 2627 W 45th? If so, what design standard and design vehicle did the City use?

As noted in #6, The City has requested a schematic design from the applicant to enable additional analysis. If the proposed street connection is approved the Applicant will need to provide a final design for the City's review at the site plan review stage.

8. These types of intersection approaches are often discouraged because they induce illegal and unsafe u-turn movements either at the intersection or further upstream/downstream. Since most homes on 45th have circular driveways, residents are understandably concerned that their driveways or other residential side streets will become an easy way to circumvent movement limitations at the 2627 intersection. Did the City consider these potential impacts to upstream and downstream properties and intersections when requiring this street extension?

   The City has experienced properly designed right-in, right-out connections operating as intended. This particular connection is expected to improve traffic operation at W 45th Street/ Bull Creek Road intersection and complete the extension of Jackson Avenue as a public street.

9. Documents we reviewed today appear to show TxDOT confirming that they do not intend to make the improvements shown in the applicant's TIA for the intersections of Highland Terrace & Mopac Southbound Frontage Road and 45th & Mopac Northbound Frontage Road. These improvements include dual lanes on each frontage road and a new signal at the SBFR intersection. In these documents and the revised TIA, the applicant's engineer notes TxDOT's comments, and the applicant agrees to pay a small "pro-rata" share to help potentially fund these improvements in the future.

   Does the City have plans and funding in place to pay for the rest of this cost and construct these improvements? If not, then has the City studied the impact to these intersections in the ultimate build-out condition without these improvements?

   As you note, the intersections in question are under jurisdiction of TxDOT. The City of Austin does not have funding for these improvements, but they have been identified to be included in future studies. The Applicant has agreed to fund *and construct* substantial mitigation improvements near the development site along roadways under the City of Austin's jurisdiction.

10. The developer has indicated that a substantial amount of the cars going to/from The Grove at Shoal Creek will come from Mopac. Since these off ramps are shown to currently fail in the applicant's TIA, is it appropriate to review the potential impacts to safety of the off-ramp vehicle stacking before recommending the approval of a 3.2 million square feet development entitlement at this location? Does the proposed Grove PUD add to the vehicle stacking on these off-ramps with no improvements made, and how does this impact public safety?

    Queuing on the ramps is an existing condition. The City of Austin does not mitigate queuing conditions on TxDOT facilities. TxDOT can respond to impacts to public safety.

11. The latest City staff comments recommend "Option 2" for the applicant's proposed layout of the new 45th and Bull Creek Road intersection.
    Has the City reviewed the feasibility and geometry of this proposed intersection layout? If so, what design vehicle was used? Does this proposed intersection meet the City's standard design for these classification of streets and intersections?

Yes – the City reviewed the feasibility and geometry of the proposed intersection layout as noted below. The Applicant went through several iterations in the design at different stages of the review process. The City reviewed several design options until the Applicant provided Option 2 that is conceptually acceptable to the City. For the intersection of W 45th Street / Bull Creek Road, turning templates for single-unit truck and passenger car design vehicles were used for analyzing northbound dual lefts.

12. How much area behind the existing curb will be required to make these lane additions to this intersection? Does this area fit entirely within the existing public right-of-way? If not, who is acquiring the necessary land or will the City use its eminent-domain authority to take this land on behalf of the developer?

    The proposed improvements will not fit entirely within the existing right-of-way. The Applicant has indicated that it is acquiring necessary right-of-way on the southeast corner to accommodate the proposed design at the intersection of W 45th Street / Bull Creek Road. The Applicant is also obtaining an easement on the northwest corner to accommodate sufficient space for receiving the dual northbound to westbound left turns based on the turning templates submitted by Applicant. The Applicant submitted a conceptual layout of the proposed intersection to the City as per the requirement, which shows existing and proposed rights-of way and easements. If the Applicant is unable to acquire the needed land, a revised design will need to be submitted and reviewed by the City.

13. Was consideration given to the safety impacts to adjacent residences, particularly those in the line of vehicle movement prior to the sharp "s-curve" just before this intersection?

    See response for #4 above. Based on the review of several iterations of designs options, Option 2 was the most feasible option with respect to safety and operation considering the existing S-curve.

14. Will the developer of The Grove PUD be allowed to proceed with building on this land if these intersections are found to be unsafe and/or infeasible?

    No – the City does not accept design(s) that jeopardize public safety. As noted elsewhere, the City has rejected several design options at the intersection of W 45th Street / Bull Creek Road due to safety concerns identified by the City.

15. We've been told that City staff has to "wrap this up" in the next two weeks, so we would be grateful for your prompt response to these critically important questions.
    Since I have certainly not asked all of the questions my neighbors have regarding traffic and transportation surrounding The Grove site, I would also like to request a meeting with you, your staff, and the families on 45th and in Shoalmont whose daily lives, homes, and safety are most affected by these City staff recommendations. Perhaps a town-hall style meeting could be coordinated with Council Member Gallo's and Council Member Pool's offices?

    Requests for meeting with Council Members can be made with their offices, although public comments are typically addressed when development cases are taken to public Council and Committee meetings. City staff met with members of the BCRC on April 12 per their request.

City staff often hold public meetings during construction projects that impact travel patterns in front of people's homes and within their neighborhoods. This situation is no different, except traffic and public safety impacts from construction is temporary, and the recommendations City staff are making on this zoning case have a permanent impact to traffic and public safety in these residential areas.

Lastly, I implore you and your staff to complete the necessary due diligence, safety analysis, and feasibility studies for *all* of these issues on the proposed Grove PUD before reaching a final recommendation on the zoning case. Delaying this engineering due diligence until site plan is putting the cart before the horse, as the saying goes, and there is no mechanism for public and Council involvement in the administrative site plan review process.

Thank you,
Grayson Cox