

Sirwaitis, Sherri

From: Bollich, Eric
Sent: Thursday, September 22, 2016 7:56 AM
To: Sirwaitis, Sherri
Subject: RE: The Grove PUD at City Council

Here are some points from ATD

- Applicant submitted 6 TIAs since the start of the project in response to ATD's review comments.
- ATD required redesign of the alignment of the intersection of 45th St/Bull Creek Rd to improve safety for all modes.
- ATD required a protected bicycle lane on Bull Creek Rd south of 45th St for improved safety and a shared-use bridge across Shoal Creek for improved connectivity.
- ATD required pedestrian hybrid beacons on Bull Creek Rd and 45th St to improve pedestrian crossings.
- ATD required improvements to make the intersection of 45th St/Bull Creek Rd operate acceptably. They resulted in acquisition of ROW and easements from property owners on the northwest and southeast corners of the intersection.
- These requirements increased the applicant's original contribution to \$2.9M in the final TIA submittal.
- The applicant has submitted a transportation demand management (TDM) plan to reduce trip generation as requested by ZAP. ATD is currently reviewing it.

From: Sirwaitis, Sherri
Sent: Tuesday, September 20, 2016 12:02 PM
To: Linseisen, Andrew <Andrew.Linseisen@austintexas.gov>; Bollich, Eric <Eric.Bollich@austintexas.gov>; Spillar, Rob <Rob.Spillar@austintexas.gov>; Lamensdorf, Marilyn <Marilyn.Lamensdorf@austintexas.gov>; Scott, Randy <Randy.Scott@austintexas.gov>; Soliz, Ricardo <Ricardo.Soliz@austintexas.gov>; Lesniak, Chuck <chuck.lesniak@austintexas.gov>; Bates, Andrea <Andrea.Bates@austintexas.gov>; Daniel, Leslie <Leslie.Daniel@austintexas.gov>; Zoun, Reem <Reem.Zoun@austintexas.gov>; Mars, Keith <Keith.Mars@austintexas.gov>; Copic, Regina <Regina.Copic@austintexas.gov>
Cc: Rusthoven, Jerry <Jerry.Rusthoven@austintexas.gov>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>
Subject: The Grove PUD at City Council
Importance: High

Hello all,

At Work Session this morning, the Council members requested a comparison table to have an overview of the original PUD request, the staff recommendation, the ZAP Commission's recommendation and the current ongoing discussions regarding The Grove at Shoal Creek PUD. Please send me a brief bullet list of the items that have changed in for your discipline as this case has progressed through the review process (i.e.- the applicant's original request, changes made during the staff's PUD review, discussion had with applicant post ZAP recommendation). Please make brief points that can be included in a table format.

I appreciate your assistance, as always!!

Thanks,

The Grove Affordable Housing Proposals and Final Recommendation

	Initial Proposal	Second Proposal	Final Staff Recommendation
S.M.A.R.T. Housing Certification	Yes	Yes	Yes
Long Term Affordability	Permanent with CLT Restrictions 40 years for Rental	Permanent with CLT Restrictions 40 years for Rental	Permanent with CLT Restrictions 40 years for Rental
Units Conditioned on Funding	\$2 Million for ownership \$2 Million for Rental + 9% tax credits	\$2 Million for ownership \$2 Million for Rental + 9% tax credits	Not conditioned on funding or 9% tax credits
Total Units	1515	1380	1443
Total Ownership	1,000	726	721
Total Rental	515	654	722
Affordable Ownership Units	2.5% at 80% MFI: 25 5% at 120% MFI: 51	5% at 80% MFI: 36 units 6% at 120% MFI: 40 units	5% at 80% MFI: 36 units
Affordable Rental Units	20% affordable conditioned on receiving 9% tax credits: 104 total units 9 at 30% MFI 36 at 50% MFI 45 at 60% MFI 14 at 80% MFI	15% affordable conditioned on receiving 9% tax credits: 104 total units 9 at 30% MFI 36 at 50% MFI 45 at 60% MFI 14 at 80% MFI	10% affordable at 60% MFI: 72 units not conditioned upon funding or tax credits.
Total Units Income Restricted at 80% MFI or below	129	140	108

Sirwaitis, Sherri

From: John Eastman <johnandlane@gmail.com>
Sent: Friday, September 23, 2016 6:02 PM
To: Adler, Steve; Kitchen, Ann; Renteria, Sabino; Zimmerman, Don; Tovo, Kathie; Pool, Leslie; Casar, Gregorio; Houston, Ora; Garza, Delia; Troxclair, Ellen; Gallo, Sheri
Cc: thesonofgray; Sara Speights; Kevin Lucas; Gene Kincaid; Charlotte Cooper; Ryan Britton; Sirwaitis, Sherri; Cherie Havard; Aditya Rustgi
Subject: The Grove, BCRC, and Ridgelea Neighborhood Association
Attachments: Stratus Site Plan 09-10-12.pdf; SCC_Master Bubble Plan.pdf; BCRC background for state land sale.pdf

Mayor and City Council,

Thank you for the thoughtful approach to the issues and meeting logistics last night. It was encouraging to see that progress is being made on parkland, funding for offsite traffic mitigation and accountability as an integral part of the Transportation Demand Management (TDM) plan. Those were the key focus areas of the presentation I had prepared on behalf of the Ridgelea Neighborhood Association (RNA). Another element of the presentation covered some of the four and half year history of the Bull Creek Road Coalition (BCRC). I was one of the founding members of the BCRC and served in the role of President for the first two years; currently I serve as the RNA representative to the BCRC Board. Based on the discussion last night about baseline zoning and expectations for the property the following background may be of interest in your deliberations:

- The BCRC was formed in 2012 in response to a proposal from Stratus Development working with HEB (site plan attached). At that time the property was to be developed while under lease from the state and would not have been subject to the city development review and approval process. Due to the traffic constraints on the roads surrounding the site Stratus proposed a vehicular bridge across Shoal Creek to Shoal Creek Boulevard. The main elements of the development plan included:
 - 950,000 sf of buildings (total)
 - 36.5 acres of park/greenspace
 - 750 residential units
 - 200,000 sf retail
 - 150,000 sf office
- Another development proposal that was presented to the BCRC by Standard Pacific Homes (attached) included:
 - 30 acres residential
 - 10 acres mixed use
 - 35 acres park/open space
- In 2013 the BCRC adopted a set of Design Principles for the site based on the ImagineAustin Plan.
- In 2013 and 2014 the BCRC worked with the State Cemetery Committee, TXDOT, Senator Watson and Representative Naishtat to facilitate the sale of the property. The BCRC supported the sale in order to ensure that any development would be subject to a public (city) development review process. TXDOT agreed to include background information prepared by the BCRC in the property disclosures for potential buyers (attached). The document includes a survey of surrounding residents, the Design Principles and additional background. It was designed to ensure that any buyer would understand the surrounding neighborhoods preference for a walkable, mixed use neighborhood scaled development on the site.

My apologies for piling on more reading materials but the good news is that I won't need to present this information at the next meeting.

Thanks again for your dedication and efforts on behalf of the citizens of Austin. Please feel free to contact me if you have any questions on the attachments or the Ridgelea position paper which was included in yesterday's backup.

John Eastman
3906 Ridgelea Drive
Chair, Ridgelea Neighborhood Association
BCRC Board member for Ridgelea



Land Allocation:

Retail:	21 Acres
Multi-Family:	12 Acres
Office:	5.5 Acres
Greenspace/Park/Pond:	36.5 Acres

Total Land: 75 Acres

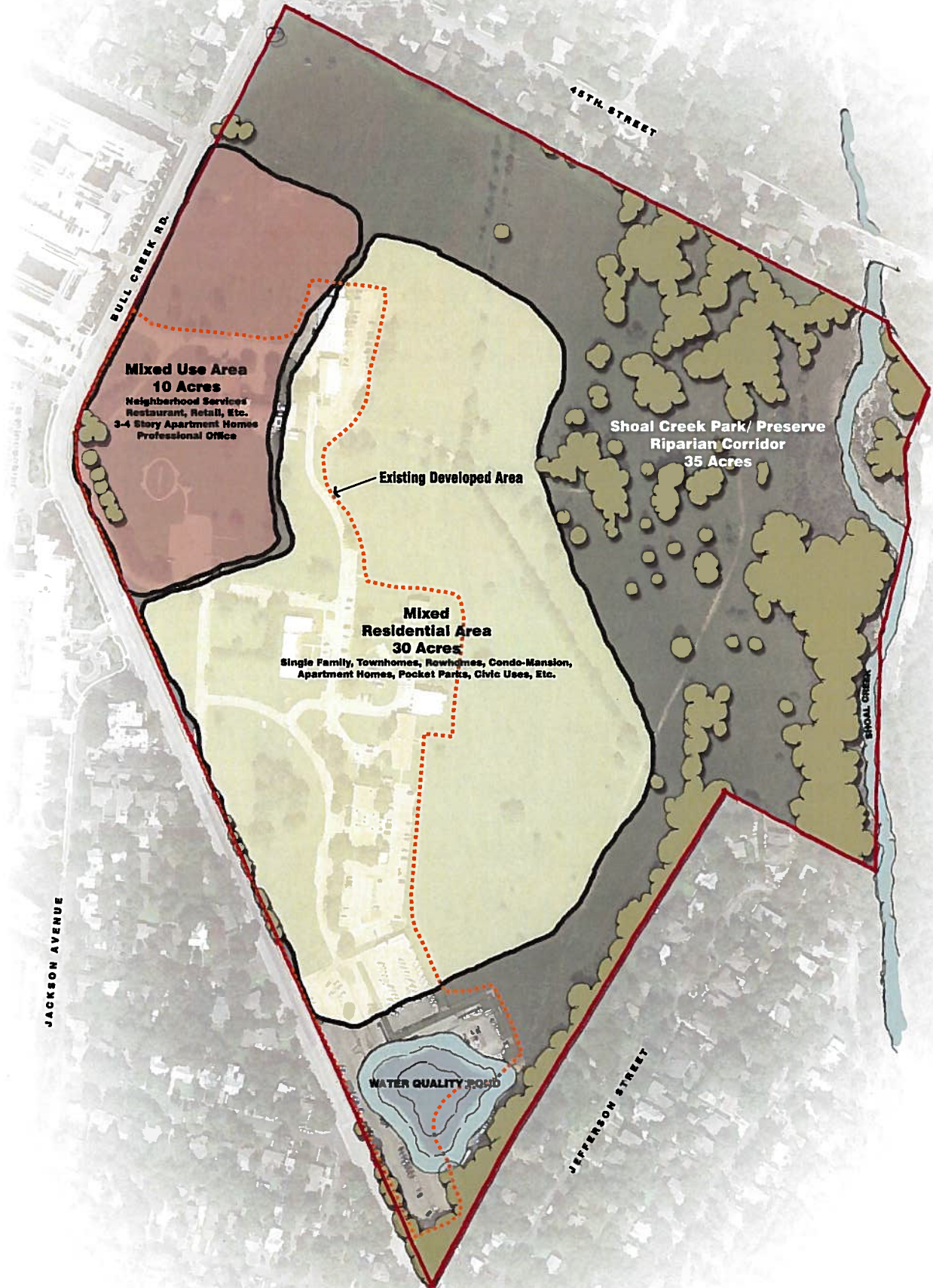
Building Area by Use:

Retail:	200,000 SF
Multi-Family:	750 Units (800 SF Avg.)
Office:	150,000 SF

Total Building Area: 950,000 SF

SHOAL CREEK COMMONS

Conceptual Bubble Land Use Plan



This document is for informational purposes only. This document was prepared by the Bull Creek Road Coalition and not TxDOT. There is neither a recommendation on TxDOT's behalf nor is there any requirement pursuant to or regarding the content in the following document. However, TxDOT encourages any prospective buyer to contact the Bull Creek Road Coalition, at the contact information contained in the document regarding any information contained within this document or any other questions or concerns regarding the neighborhood impact of the project.

Information Packet
Concerning
State Land Tracts
State Cemetery and TxDOT Property
Bull Creek Rd.
Austin, Texas

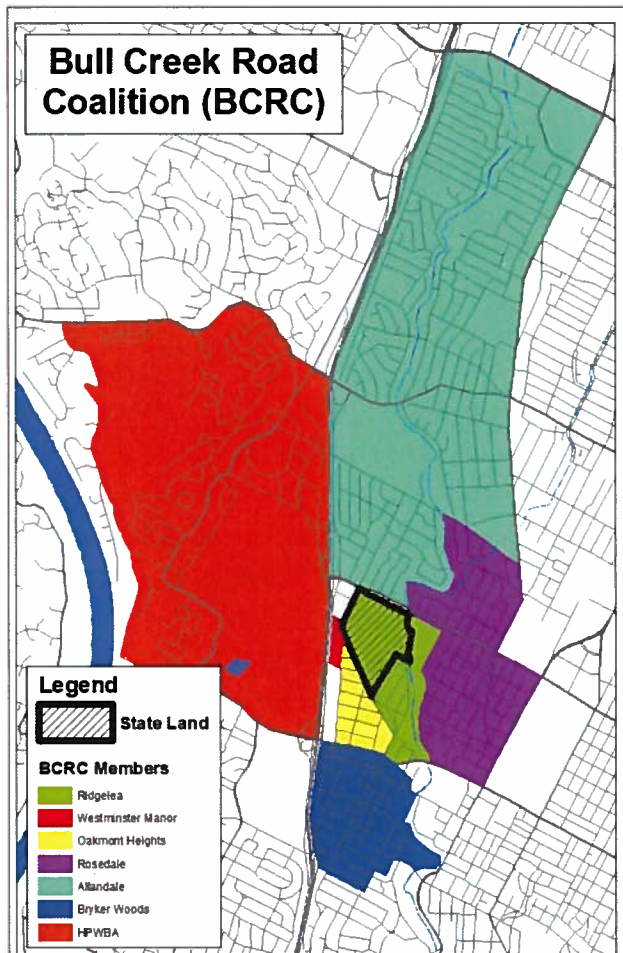
Prepared
By
Bull Creek Road Coalition

What is the Bull Creek Road Coalition (BCRC)?

The BCRC was formed in 2012 and is made up of the seven residential neighborhoods surrounding a 75-acre state-owned tract in Central Austin. Once it became clear that the state intended to sell or lease the tract for private development, the neighborhoods formed this coalition to work constructively with the state, the city and prospective developers to insure that

the tract is developed in a way that will be compatible with and enhance the existing neighborhoods, while meeting the state's need.

The neighborhoods represented in the coalition are Ridgelea, Rosedale, Oakmont Heights, Allandale, Bryker Woods, Highland Park West/Balcones Area and Westminster Manor, which together comprise more than 7,500 Central Austin households.



What land is involved?

The tract is adjacent to Bull Creek Road, with Shoal Creek on the east, and lies roughly between West 45th Street on the north and West 39th Street on the south. The only street access to the property is Bull Creek Road. Otherwise, the property is surrounded primarily by residential housing and the creek. (Map attached). The Texas Department of Transportation (TxDOT) owns 29.8 acres fronting on Bull Creek Road; the remaining 46.9

acres is dedicated to the Texas State Cemetery, but has never been used as a cemetery. Both state agencies have indicated a desire to sell their interests.

What are the unique characteristics of this property?

The land fronting on Bull Creek Road is flat and lends itself to development. However, the eastern side of the property, bounded by the creek, slopes downward significantly toward the creek. This area includes a grove of magnificent heritage oak trees, and a striking array of Texas wildflowers rugged enough to dazzle even in our drought conditions.

The main negative characteristic is the lack of automobile access needed for any significant commercial development. Except for Bull Creek Road, the land is completely surrounded by houses and the creek, so only this road—currently just two lanes--could be used for ingress and egress. But even if this road were widened, newly generated traffic would immediately hit the bottlenecks that already exist at 45th Street on the north, 35th Street on the south, and several residential streets in between.

What resources does BCRC bring to the table?

BCRC is fortunate to have among its residents outstanding professionals in many fields, including land planning, architecture and conservation, just to mention a few. As a result, we have developed the following:

- A sophisticated list of “design principles” that can be used by professionals to help design a sustainable development for modern urban living (attached).
- A detailed survey of neighborhood residents that required them to choose among realistic development options, to determine what their priorities are. More than 700 residents filled out the survey, and the results are attached. The greatest desire expressed is for some open-space to be maintained on the land closest to the creek. The greatest problem expressed is added traffic to the congestion already existing.
- BCRC has also been in consultation with the Shoal Creek Conservancy and the Lady Bird Johnson Wildflower Center, as well as the City of Austin, about how to best showcase the unique landscape of huge old oaks and wildflowers on the property.

What does BCRC recommend as the best use of the land?

- The two parcels of land should be sold together, not separately. Only planning and developing the whole 75 acres together will result in the most successful enterprise. Several architects, land planners and developers have said they also believe the property will bring a higher price if it is sold together.
- As clearly conveyed in the survey, some retail and commercial businesses, such as restaurants and specialty stores, would be appropriate with the majority of the developed land used for residential development. This could include high-density single-family, apartments, or other types of residential use. The advantage to this approach would be to keep newly generated traffic to a minimum.
- At least 30 acres along Shoal Creek should be maintained as an urban open-space or conservation area connected to the Shoal Creek Trail. These acres could include walking trails through the huge oaks and wildflowers. This would be a great added attraction for development closer to the road.

For more information: John Eastman, President of BCRC, (970) 846-2573, or Sara Speights, (512) 451-4618.

Bull Creek Road Coalition (BCRC)

Neighborhood Survey

Austin, Texas

Spring, 2014

This survey was conducted in the seven neighborhoods surrounding the 75-acre state-owned tract of land contiguous to Bull Creek Road and between West 45th and West 39th Streets in Austin, Texas. The goal was to learn the opinions of the residents surrounding this property concerning utilization and development of the property.

State Land Opinion Survey
Spring 2014 - Bull Creek Road Coalition

If the state land is to be developed, what type of development you would prefer:

Answer Options

(High Density) Some 10+ story office and residential buildings and apartments.
Example: Area around 6th and Lamar with Whole Foods store and large apartments.

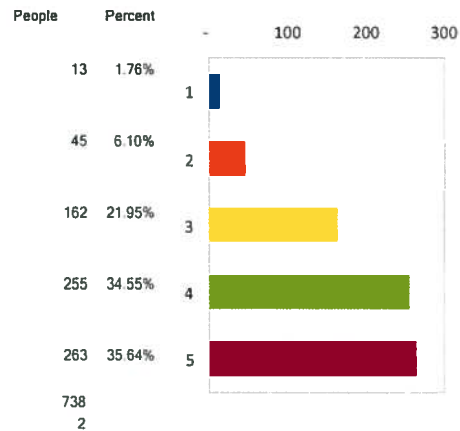
Mix of 4-5 story apartments, hotels and dense mix of small, mid and large scale retail. Example: The Domain.

(Medium Density) Mix of 4-5 story apartments, townhomes with moderate amount of small to mid sized retail. Example: The Triangle.

Mostly houses with some small apartments, retail and offices. Examples: Area around 43rd and Duval (Hyde Park Grill) or Rosedale near Medical Parkway (Draught House).

(Low Density) Large lot single family homes with no commercial or retail.
Example: Single family homes like those on Shoal Creek Boulevard.

answered question
skipped question



Traffic generated by development can range from high to low, and can create particular problems locally, such as cut-through traffic (traffic cutting through neighborhood streets to avoid busy thoroughfares). Please indicate how much you think traffic could affect you:

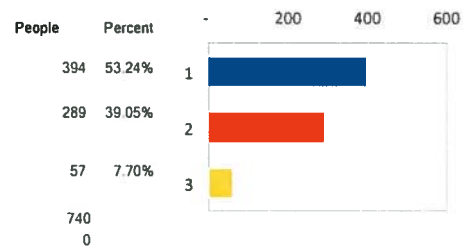
Answer Options

A lot (examples: cut through traffic, unable to leave neighborhood)

Some (example: streets you normally use would become busier)

Little or none (examples: you would walk and vehicle congestion won't affect you, or you live far enough away, or you don't travel the 45th/Bull Creek Road area by car)

answered question
skipped question



Considering your view of the potential effect of traffic on you and your area, if there is commercial development, what kind would prefer to see or could "live with":

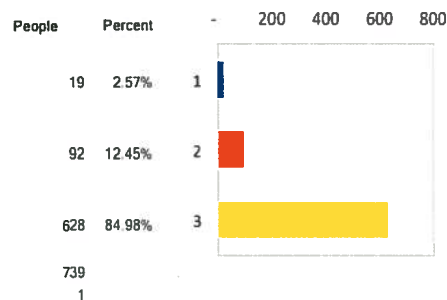
Answer Options

High traffic commercial development with businesses such as box stores like Home Depot and Target, grocery "superstores", drive-throughs for gas stations, banks, Starbucks

Moderate-size businesses (like Randalls in Tarrytown)

Small businesses such as bakeries, restaurants, coffee shops, small to medium grocery stores (such as Russell's Bakery on Balcones or Sprouts).

answered question
skipped question



There are approximately 30 acres (about 40% of the total space) of potential high-quality greenspace, including the area along Shoal Creek, the grove of large live oaks, and a meadow that produces lots of wildflowers. Please indicate how strongly you prefer that urban greenspace be a part of the development plan.

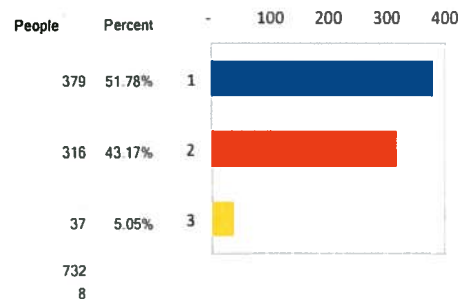
Answer Options

The 30 acres mentioned will not be enough; more should be included in a development plan

The 30 acres mentioned should be preserved and will be enough

The 30 acres mentioned is more than needed and might interfere with development

answered question
skipped question



Are you in favor of a bridge being built across Shoal Creek to enable access from Shoal Creek Boulevard?

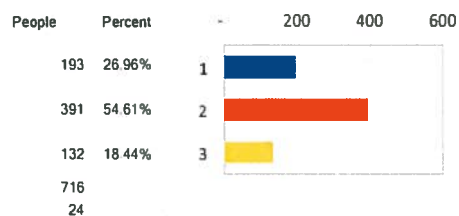
Answer Options

Vehicle and pedestrian

Pedestrian only

No bridge

answered question
skipped question



What are or would be your preferred uses of the property (check all that apply)?

Answer Options

Shopping

Riding bikes

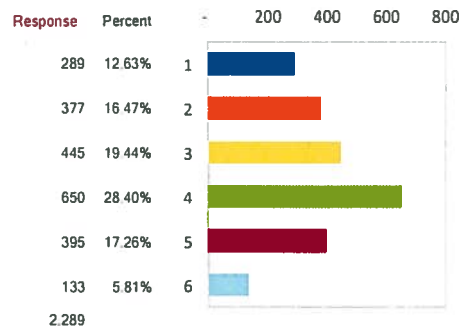
Hiking

Walking

Taking dogs for an off-leash romp near Shoal Creek

Other (please specify)

answered question

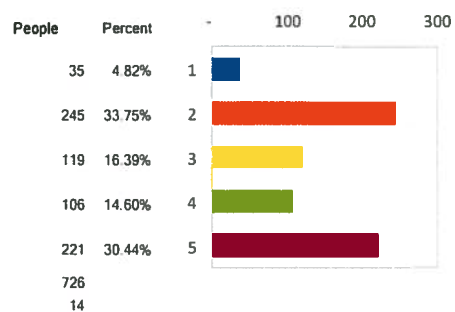


How long have you lived in your current residence? (optional)

Answer Options

less than one year
1 - 5 years
6 - 10 years
10 - 15 years
more than 15 years

answered question
skipped question

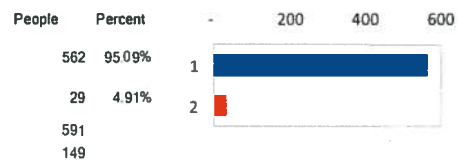


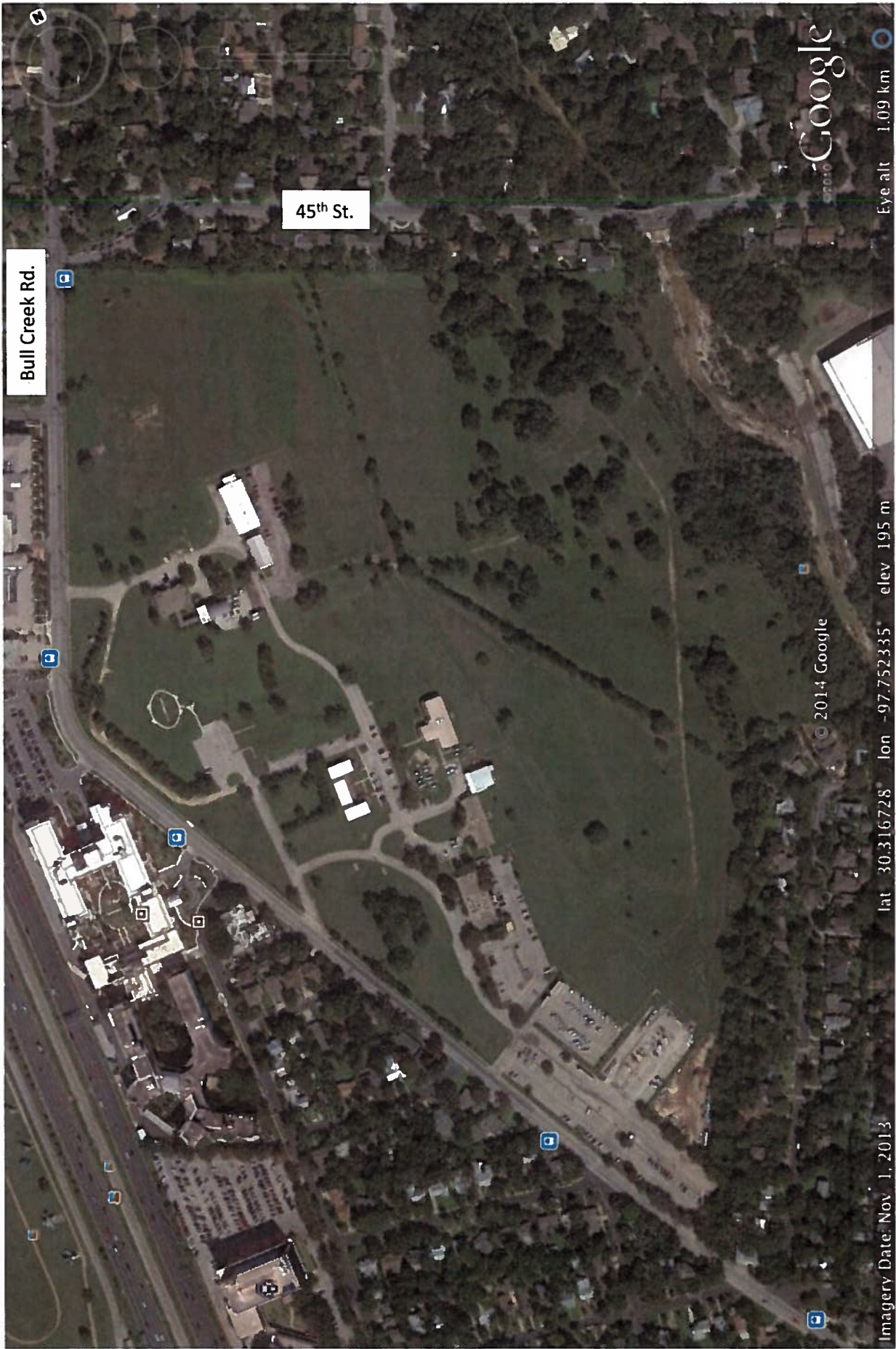
Do you own or rent? (optional)

Answer Options

Own
Rent

answered question
skipped question





Design Principles for Shoal Creek Fields

The Bull Creek Road Coalition (Coalition) consists of seven Neighborhood Associations: Ridgelea, Rosedale, Oakmont Heights, Allandale, Bryker Woods, Highland Park West/Balcones Area and Westminster Manor, which together represent over 7,500 households.

The Coalition embraces and encourages responsible development of the State Land consistent with the Imagine Austin plan. The Coalition is committed to realizing the following Design Principles for any development on Shoal Creek Fields. We view this as a living document to be updated as appropriate.

A vision for integrated development

- The design and development team will work with all the stakeholders to create a uniquely Austin place that will be accepted by its neighbors while creating lasting value for the citizens of Texas.
- The design should incorporate a “Community Common” that creates identity, value and memorability
- The design acknowledges value of parks, plazas, landscaping, and natural areas and respects the natural elements found there.
- Innovative, high quality, and appropriately scaled design that respects the City’s standards for pedestrian, bicycle, and transit connectivity

Respect the site

- Recognize, preserve and enhance the natural elements on the site: the creek, fields, native plants and large trees
- Embrace Shoal Creek as it is a defining natural element and a major floodway; new development provides the opportunity to restore Shoal Creek to a live, flowing creek while controlling flooding potential with well-designed, appropriate flood controls, including in the plan the assurance that any structures are appropriate to the site, and will be maintained properly into the future.
- Historic site – in the 19th century, the Deaf Dumb & Blind School for Negro Orphans was located here. The archaeological survey required by State law should be early in the process and be used to inform any development plans.

Great urban design – focused on people

- Create a varied urban grid of boulevards, streets and alleys to encourage development for a wide range of uses including commercial, residential, and professional.
- Focus the grid and commercial uses on a “Community Common” the place that creates identity, value, and memorability.
- Create a vibrant pedestrian, bicycle, and transit-friendly streetscape along Bull Creek Road, composed of a physical frontage of buildings, minimal street-accessible parking, generous sidewalk space, thoughtfully integrated landscaping, street lighting, and street furniture
- Limit presence of cars in public area; the substantial part of parking for commercial and residential uses should be in parking garages or in alleys in less densely developed areas.

Design Principles for Shoal Creek Fields

Emphasis on creating walkable, bikeable streets and trails that integrate the community

- Design realizes ease of access by public transportation, walking & bicycling from surrounding neighborhoods is important. The same principle of pedestrian priority should apply within the site as well.
- Generous sidewalks, minimal street accessible parking
- Incorporate an extension of the Shoal Creek hike and bike trail all the way to 45th Street as an integral part of the transportation and recreational infrastructure.
- Include a pedestrian and bike connection across Shoal Creek

Traffic mitigation

- Increased traffic is the #1 concern expressed by surrounding residents; traffic is already a problem at the intersection of 45th and Bull Creek Road at peak hours.
- Work with surrounding neighborhoods – especially those immediately adjacent – to develop and implement coordinated pedestrian and traffic calming measures to both discourage and mitigate new cut through traffic.

A design that is compatible and integrated with the surrounding development patterns

- Connect and integrate in all possible ways with the city fabric on all sides – homes to north and south, creek to east – without high walls and with generous native landscaping, setbacks and view corridors
- Seek to do no harm to surrounding single family neighborhoods
- Respect the scale of the edges of the site
- Build four-sided architecture
- Use down lighting and other techniques to avoid light pollution
- Mitigate noise impacts with the goal of limiting noise levels

Sustainable design: meet or exceed recognized sustainable design standards, consistent with the Congress of New Urbanism charter

- LEED Silver certified for Neighborhood Design (LEED-ND) for the overall urban design
- SITES for landscape design, construction and maintenance
- LEED Silver certified or Austin Energy Green Building 4-5 Star rating for buildings

Public/community input during all stages and phases of development

- Good design happens through good process that involves all the stakeholders
- State lands are owned by the people of Texas and the peoples' business should be conducted in public

Expert design team with successful urban infill experience

- The design of Shoal Creek Fields' development in its entirety will be facilitated by an integrated design team of architects, landscape architects and engineers
- The design team will have proven and lauded experience in realizing high quality, neighborhood-friendly, ecologically sensitive urban design

Sirwaitis, Sherri

From: Elizabeth [REDACTED]
Sent: Monday, September 26, 2016 9:20 AM
To: Sirwaitis, Sherri
Subject: The GROVE

The intersection at 45 TH and Bull Creek is one block away from the entrance ramp to MoPac. It a major feeder for work force commuters. I travel this intersection regularly and at Rush Hour times it is MAXXED out. Long traffic lines to get through the light.

Adding another 1,900 vehicles is crazy.

Affordable housing in central Austin is a huge dilemma . The Grove developer has offered very few units for affordable housing. Their goal is high end housing and retail And business space. These all put the most money in their pockets. Green space and parklands is one of the Jewels of living in Austin. This development is Surrounded by existing residential homes. This not downtown Austin where people Prefer urban living. PLEASE, protect this tract from over development. Require Green space and parkland!

Thank you for your consideration.

Elizabeth Holt. Pemberton Heights neighborhood

Sent from my iPad

Sirwaitis, Sherri

From: Guernsey, Greg
Sent: Monday, September 26, 2016 11:02 AM
To: Sirwaitis, Sherri; Linseisen, Andrew; James, Scott; Bollich, Eric
Cc: Rousselin, Jorge; Derr, Gordon; Spillar, Rob; Rusthoven, Jerry
Subject: FW: The Grove & 2627 W. 45th Street Petition(s)

FYI

From: Ryder Jeanes [mailto:rjeanes@theretailconnection.net]
Sent: Monday, September 26, 2016 10:54 AM
To: Guernsey, Greg; Rusthoven, Jerry
Cc: Catherine Jeanes [catcaroom@gmail.com]
Subject: The Grove & 2627 W. 45th Street Petition(s)

Greg & Jerry:

I wanted to thank you for your efforts on this zoning case to date trying to make it a good project for the surrounding residents (my home included). My wife and I have finally worked out a resolution with ARG that we believe will sufficiently addresses our issues with the project and we no longer are going to oppose this zoning case.

To fulfill part of our obligations on working out these issues, we are hereby giving you notice to request that our names be considered removed from all petitions having to do with the Grove PUD zoning case, or any petition that is the basis for Cause No. D-1-GN-16-001762 ([hyperlink to this Cause](#)).

Thanks for your work down at the city staying into the wee hours of the night on these cases. I hope that next time we all have correspondence on a project, it will be with a much easier and much less disputed case! I know you guys do your best to maintain the quality and character that makes our city one that is drawing all these new residents here in the first place. We appreciate all that effort you put into your jobs because they aren't easy or adequately appreciate I think.

Sincerely,

Ryder & Cat Jeanes
2629 W. 45th Street
Austin, TX 78731

Ryder Jeanes
Senior Vice President | Austin

512-485-0888 | main
512-485-0830 | fax
512-485-0792 | direct
221 W. 6th Street
Suite 1030
Austin, TX 78701

rjeanes@theretailconnection.net
www.theretailconnection.net



AMENDMENT PACKAGE #1: AFFORDABILITY & MOBILITY**Concerns:**

- **Affordability.** That the current proposal does not provide an adequate level of affordable housing and is not balanced enough toward residential in general.
- **Mobility.** That the current proposal is sized toward being a large town center, or nearly a regional center (rather than a neighborhood center), which will generate too much congestion for the area.

Amendment Package #1 Goals:

- To re-balance the proposal toward a plan that has higher levels of affordable housing units, higher levels of residential units, a lower, neighborhood-sized level of office and retail, and less congestion.

Provision		Current Proposal	CM Pool Proposal	Rationale
<u>Strategy #1: Re-Balance Toward Increased Affordability & Better Mobility</u> <u>Policy Tools: Trip Cap, Use Caps</u>				
Traffic Count (Trip Cap)	23,969 unadjusted total trips/day	18,000 unadjusted total trips/day	The traffic count ultimately sets the maximum level of intensity for the development. It is the overall 'cap' within which the applicant can allocate what they want to build (how much goes to residential vs. commercial, etc.). Re-balancing toward an 18,000 unadjusted trip cap would encourage a dense mixed-use development that serves as a neighborhood center rather than a regional destination. This is more consistent with the surrounding neighborhoods, would lessen congestion, and accounts for additional residential units.	
Residential Cap	1,515 units	1,655 units	In order to encourage more residential units, this proposal would allow the applicant to develop more residential units, within the limits set by the traffic count (trip cap). The 1,655 unit number is calculated by finding an estimated per-unit count for the 250,000 additional square feet recommended by Zoning & Platting Commission (roughly 1,800 per unit).	
Office & Retail Caps	Office Cap: 210,000 square feet Retail Cap: 150,000 square feet	Office Cap: 115,000 square feet Retail Cap: 100,000 square feet	Office/retail appears to be more attractive to the applicant than residential. Given this dynamic, the applicant may choose to allot more of his entitlements to office/retail uses, rather than residential uses. In order to encourage more residential units, this would lower the limit on the amount of office/retail allowed on the site. It would also encourage more affordability, since affordable units are calculated as a percentage of overall residential units.	
Retaining 45th Street Properties as Homes	Remove homes, extend Jackson Avenue through the properties as a collector street.	Retain both properties as homes.	Under the current proposal, 2627 W. 45th St. and 2625 W. 45th St. are both proposed to be removed in order to extend Jackson Avenue through to 45th Street. With the re-balanced trip count, there is no need for this connection.	

(Amendment Package #1: Affordability & Mobility Continued)

Provision	Current Proposal	CM Pool Proposal	Rationale
(Strategy #1 Continued)			
Bike Lane	Current proposal includes only a northbound shared-use path on Grove property. Applicant has submitted a concept plan restoring the northbound bicycle lane on Bull Creek.	Northbound bicycle lane on Bull Creek Road that connects to Bicycle Master Plan included in plan.	<i>The lower traffic counts should allow the intersection of 45th Street and Bull Creek to function better. The better functioning of this intersection may make it possible to amend the required improvements at that intersection to provide the space needed for a northbound bike lane.</i>
Strategy #2: Re-Balance Toward Imagine Austin Neighborhood Center Policy Tool: Single-Tenant Square Footage Cap			
Maximum Square Footage for a Single Retail Tenant	47,500 square feet	35,000 square feet	<i>This single-tenant requirement sets the maximum for any individual tenant's space. The current single-tenant maximum (47,500 square feet) is large enough to serve as a regional traffic generator, raising the number of trips. Re-balancing this to a more reasonable maximum (35,000 square feet) will provide for retail development that is more 'Neighborhood Center' in size and reduce the number of potential trips for any individual retail tenant.</i> <i>For context, the applicant's traffic impact analysis identifies the maximum size for a supermarket on their site as 35,000 square feet. This is roughly the same size at the Randalls on 35th Street, according to TCAD.</i>
Strategy #3: Adding Height to Achieve Affordability Policy Tool: Height Requirements			
Adding Height on Tracts F/G	40-foot maximum	60-foot maximum 100-foot setback for this height level from western property line on Tract F.	<i>More height allows for more residential units on these tracts, facilitating more affordable housing (and potentially more street frontage for the Signature Park). The setback provides compatibility with the surrounding area due to the increased height.</i>

(Amendment Package #1: Affordability & Mobility Continued)

Provision	Current Proposal	CM Pool Proposal	Rationale
Strategy #4: Increasing Number of Affordable Housing Units Policy Tool: Affordable Housing Provisions			
Increasing Affordable Housing	<u>Ownership:</u> 5% of total ownership units at 80% median family income (in perpetuity) <u>Rental:</u> 10% of total rental units at 60% median family income (40 years) <i>Estimated affordable unit count = 108 units (36 owner, 72 rental)</i>	<u>Ownership:</u> 7.5% of total ownership units at 80% median family income (in perpetuity) <u>Rental:</u> 15% of total rental units at 60% median family income (40 years) <i>Estimated affordable unit count = 162 units (54 owner, 108 rental)</i>	The current proposal mirrors Tier 3 requirements for affordable housing, which provide for 5% of density bonus area square footage for affordable ownership opportunities and 10% for rental. The current proposal provides for 5% ownership opportunities and 10% rental opportunities – though it is calculated according to the number of units, as opposed to square footage. For context, the SMART Housing ordinance requires 5% affordable housing units within the urban core. CM Pool's proposal would be to achieve more abundant affordable housing by increasing each of those levels by 50%. This will provide more affordable units in a high opportunity area and bring the amount closer to the 180 units of affordable housing originally proposed by ARG Bull Creek and presented to the community. (Note: the estimated affordable unit counts included to the left are based on a 1,443 unit count total (721 ownership units and 722 rental units). The 1,443 unit count is based on the applicant's current proposal, as confirmed by city staff. The ownership/rental breakdowns are based on the percent figures. Additionally, To the extent that other policies included in CM Pool's proposal increase the amount of residential units included in this PUD, it would also increase the estimated affordable unit count under CM Pool's proposal.)

AMENDMENT PACKAGE #2: PARKS**Concerns:**

- That the proposal does not provide enough parkland to serve both the new and existing residents and that it cedes control over programming in the public parks to the applicant.

Amendment Package #2 Goals:

- Provide quality public parkland and retain Parks and Recreation Department (PARC) control over programming in public parkland.

Provision	Current Proposal	CM Pool Proposal	Rationale
Strategy: Provide Quality Parkland Policy Tools: Parkland Requirements, Parks Agreement, Sound Limits			
Parkland Dedication	14.13 acres total	15.88 acres total	Dense urban developments such as this proposal often have a greater need for community parkland. (Note: to put these figures into context, under the new Parkland Dedication Ordinance that Council passed earlier this year, the calculation for full parkland (ie. without accepting any fee in-lieu) would be over 24 acres.)
Public Parkland Agreement	Applicant retains control over special events scheduling and permitting.	PARC retains control over special events scheduling and permitting.	This parkland is public parkland. As a result, the Parks and Recreation Department (PARC) should retain control over special events scheduling and permitting.
Amplified Sound Limits	10:30 PM time limit for amplified sound.	9 PM time limit for amplified sound.	Events at the park should respect the proximity to homes in the development and in the surrounding area. (Note: Code allows amplified sound in a public recreation area up to 85 decibels until 10 PM and up to 80 decibels from 10 PM to 2 AM (§8-1-41 through §8-1-52) and also includes restrictions regarding proximity to residential properties in other parts of the code (§9-2-14).)

AMENDMENT PACKAGE #3: SENIOR HOUSING

Concerns:

- That the current proposal does not include provisions providing affordable housing for our senior population.

Amendment Package #3 Goals:

- Provide affordable housing for seniors at this site.

Provision	Current Proposal	CM Pool Proposal	Rationale
Strategy: Include Senior Housing Policy Tools: Affordable Housing Provisions			
Include Affordable Senior Housing	No provision.	Include affordable housing that meets and complies with requirements for housing 'older persons,' as the term is used in 42 U.S.C. 3607.	<i>Under the Fair Housing Act, housing for older persons is exempt from familial status protections if it meets certain criteria. "Familial status" means a person that lives with/have custody of an individual less than 18 years old. The exemption is necessary because otherwise a housing provider must allow a person with a child to live at the property.</i>

ADDITIONAL AMENDMENTS UNDER CONSIDERATION

Council Member Pool's office is developing the following amendments for discussion before Council at second and third reading :

Adopting the goal recommended by Shoal Creek Conservancy that no new net stormwater be discharged into Shoal Creek.

- Concern: That the current proposal will contribute to increased stormwater discharge which will worsen flooding risks in the area.
- Goal: Adopt a goal of no new net stormwater for staff to consider when determining what types of flood mitigation strategies to require during site plan review.

Explore protections for Idlewild residents due to groundwater flooding issues from The Grove site.

- Concern: Idlewild residents experience groundwater flooding and the current proposal may not include protections against continued flooding issues in this area.
- Goal: Explore groundwater mitigation tools and legal strategies to provide the needed protections.

Provide protections for construction workers at The Grove.

- Concern: That the existing plan does not provide sufficient protections for construction workers.
- Goal: Establish fair practices for construction workers on this project.
 - Potentially including, but not limited to: living wage, OSHA-10 safety training, worker's compensation insurance, OSHA-30 for safety supervisors, local hiring goals, and third-party monitoring of these standards.

Provide an alley behind the 45th Street homes.

- Concern: That increased congestion will make it more difficult for the individuals who live on 45th Street to exit their driveways.
- Goal: Provide an alternative to the driveways on 45th Street.

Provide a formal historical/archeological investigation of The Grove tract before construction.

- Concern: The Grove site was previously the site of the Texas School for Deaf, Dumb, and Blind Colored Youth. The Travis County Historical Commission would like to ensure that this investigation takes place due to the historical significance of the site.
- Goal: Save any potential historical features and artifacts prior to construction.

Council Member Gallo Motion Sheet: Agenda Item No. 73
 C814-2015-0074 – The Grove at Shoal Creek PUD
 Council Meeting: September 22, 2016

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Modify minimum setback to Bull Creek Road to 25 feet in Tract D and uses adjacent to Bull Creek Road in Tract D shall meet SF-3 development standards Apply to any building on Tract D that is within 75 feet of Bull Creek Road. 1. Live-work uses are prohibited 2. Minimum building setback from Bull Creek Road ROW shall be 25 feet. Porches and patios shall be permitted to encroach into the setback up to 6 feet. 3. Maximum building height shall be 35 feet. 4. All buildings facing Bull Creek Road shall have a maximum of two attached residential units. 5. Minimum setback from Bull Creek Road ROW for a third story shall be 35 feet if the height of the building exceeds 30 feet. 6. The minimum building setback from Bull Creek Road ROW shall be increased to 28 feet for a minimum of 50% of the total frontage. 7. Garages are not permitted to face Bull Creek Road. 8. A minimum of 50% of the units along Bull Creek Road shall have a porch that faces the Bull Creek Road ROW.	<u>Amendment 1:</u> Apply the following restrictions to any building on Tract D that is within 75 feet of Bull Creek Road: a. Live-work uses are prohibited b. Minimum building setback from Bull Creek Road ROW shall be 25 feet. Porches and patios shall be permitted to encroach into the setback up to 6 feet. c. Maximum building height shall be 35 feet. d. All buildings facing Bull Creek Road shall have a maximum of two attached residential units. e. Minimum setback from Bull Creek Road ROW for a third story shall be 35 feet if the height of the building exceeds 30 feet. f. The minimum building setback from Bull Creek Road ROW shall be increased to 28 feet for a minimum of 50% of the total frontage. g. Garages are not permitted to face Bull Creek Road. h. A minimum of 50% of the units along Bull Creek Road shall have a porch that faces the Bull Creek Road ROW.

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Require City-approved noise mitigation plan for temporary (construction) and permanent activates on-site	Amendment 2: During construction require property owner to locate construction staging areas for site development 250 feet from the property line or a suitable distance from neighborhoods as determined by City Staff.
Ridgelea NA	Implement a Noise Mitigation Plan to minimize impact to surrounding neighbors during and after construction. The plan should address known high noise generators such as construction staging areas, construction and long-term loading/delivery areas. There should also be reasonable limits on days/hours for outdoor amplified music.	Amendment 3: For this property, increase restrictions in City Code Sections 9-2-3(A)(2) and 9-2-4 of the Code as follows: a. A person may not make noise or play a musical instrument audible at the property line between 9:00 p.m. and 7:00 a.m. (Current City Code 10:30pm-7am) b. A person may not operate sound equipment at a business that produces sound in excess of 80 decibels between 10:00 a.m. and 2:00 a.m., as measured at the property line of the business; (Current City Code: 85 decibels)
Oakmont Heights	Oakmont Heights has requested ARG to agree not to have amplified sound at any of the commercial/retail establishments after 9pm (just like Central Market on North Lamar). The Oakmont Heights neighborhood is concerned that if it is ultimately based on a decibel allowance at a certain location, that it may not really resolve the issue.	
45th Street Residents	Include noise control plan in the PUD ordinance restricts hours of amplified noise from businesses and Signature Park events similar to the informal agreement between Rosedale and Central Market. Do not allow the developer to retain management over the Signature Park, which would allow ARG or future owners to profit from renting out the City's park for private events (parties, concerts, movies). During construction, the noise plan should include provisions regarding staging areas, equipment/generator locations, and timing of major work. (BCRC proposed amendment #6)	
Bull Creek Road Coalition (BCRC)	Modify maximum retail entitlements to 100,000 square feet and maximum size of 30,000 square feet for any single tenant	Amendment 4: Reduce the current maximum size of 47,500 square feet for any single tenant of retail space to a maximum size of 37,500 square feet.
Ridgelea NA	Limit any single retail/restaurant/commercial tenant to a maximum of 30,000 sf and focus commercial spaces on local serving scale businesses that do not generate significant amounts of non-local traffic.	
Oakmont Heights	Generally reduced scale of the development (e.g., reductions to retail and especially commercial)	

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Require 20 feet wide drainage easement full length of Tract E adjacent to Idlewild properties and maintenance to effective berm/swale within drainage easement	Amendment 5: The property owner is required to have a storm sewer system and street system designed to capture and convey the 100 year storm event. Amendment 6: For the portion of the property adjacent to the properties along Idlewild Road add the following requirements: a. The 35 feet no-build setback line, parallel to Idlewild Road, is required to be a high point establishing that all property west of the 35 feet no-build line will drain into the property's internal storm sewer system and away from properties along Idlewild Road. b. The area east of the 35 feet no-build setback line is prohibited to have any development other than landscaping and recreational improvements ordinarily found in a backyard (such as playscapes, pools, decks, gardens, fences etc.) and runoff in this eastern area may not exceed the current undeveloped runoff amount. c. Water runoff from the roofs of buildings is required to be captured and drained into the property's internal storm sewer and street systems. d. The property owner is required to install and maintain a French drain system within 10 feet west of the property line, parallel to Idlewild Road, to reduce groundwater and tie the French drain to connect directly into the pond discharge pipe. The French drain system will be maintained by the applicant or future Grove property associations. e. All of the above will be included in the PUD Ordinance, so that it can be enforced by the City.
Ridgelea NA	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 NA	Complete the planned upgrades to Bull Creek & 45th intersection by Jan. 2019 instead of the proposed 2024 date.	Amendment 7: Prior to the permitting of any portions of the development that exceed the Phase 1 trip limit of 2,000 daily vehicle trips the property owner is required to complete the intersection improvements for the Bull Creek and 45th Street intersection. Amendment 8: The property owner is required to start the construction of the planned improvements for the Bull Creek and 45th intersection no later than six months after the City of Austin has approved the final plans for the intersection.

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Fund and implement transportation demand management program requirement to target 15% reduction in vehicle trips and encourage transit/multi-modal trips	Amendment 9: Property owner is required to develop and implement a Transportation Demand Management (TDM) Plan to reduce trips to the site. The TDM Plan should:
Ridgelea NA	Require a comprehensive and permanent Transportation Demand Management (TDM) program that encourages residents and visitors to reduce vehicular trips.	a. Include flexible results based funding and specific trip reduction targets. b. Include targets aimed at reducing the TIA trip generation figures by at least 20%. c. Require property owner to implement a monitoring and reporting plan to assess the effectiveness of the TDM Plan to address any deficiencies identified through the reporting and monitoring process. d. Be reviewed and recommended by Austin Transportation Department.
45th Street Residents	Reduce the overall allowed trips through reduced commercial entitlements in addition to a Transportation Demand Management Program. (BCRC proposed amendments #1,2,3,5,7,8,&9)	
Bull Creek Road Coalition (BCRC)	Increase required credited parkland acres to 16.88 which includes locating 2 acre flex space and 4 additional acres	Amendment 10: The property owner is subject to all regulations and requirements detailed in the revised Parks Plan Exhibit dated September 21, 2016 which requires, among other things, the following:
Ridgelea NA	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.	a. a minimum of 14.13 credited parkland acres (increased by 1.25 acres from 12.88 to 14.13 acres);
Ridgelea NA	Increase usable public space by approximately two (2) additional acres to accommodate an unlit level, open playing field area.	b. the Signature Park will be a minimum of 16.25 acres in size (including 5.75 acres of floodplain, CEF, etc.);
Oakmont Heights	Generally reduced scale of the development (e.g., reductions to retail and especially commercial) and increased parkland. It is particularly important to the Oakmont Heights neighborhood to put a larger amount of parkland on Bull Creek south of 42nd Street in the small pocket park. In addition, some of the Oakmont residents feel the pocket park is going to be completely "captured" by either condos, apartments, or the congregate care facility rather than feel welcoming to the public.	c. a minimum of 705 square feet of street frontage for the Signature Park; d. Construct a trail connection between the Signature Park and the existing greenbelt along Jefferson Street as part of the Shoal Creek Trail; e. The Pocket Park shall be designed to have an open character from the street frontage and should avoid landscape or other obstructions that block the public views into the park where it abuts the street; f. Investment of \$750 per residential unit in park development;
45th Street Residents	Add approximately 4 acres of parkland to the Signature Park and Neighborhood Park to accommodate non-commercialized recreation space desired by neighbors. (BCRC proposed amendment #12)	

Additional Neighborhood Request to be Addressed through Future Council Resolution		
Neighborhood	Neighborhood Request	Council Member Gallo Proposal
Bull Creek Road Coalition (BCRC)	Dedicate \$3 million to off-site traffic mitigation and multi-modal improvements, funded by mix of applicant contribution and tax increment financing	(1) Creation of a Local Traffic Mitigation Fund using a portion of the incremental tax generated from the development's property taxes. The Fund will be used in the surrounding neighborhoods to pay for both immediate and long term improvements including multi-modal solutions and traffic mitigation and calming solutions. In creating this fund, 100% of the total City property taxes generated by The Grove project should be allocated to the Local Traffic Mitigation Fund until \$6 million is payed into the Fund and then continue forward at 50% allocation until 2037. The Fund would be spent on improvements which would be prioritized jointly by the neighborhoods and the City of Austin Transportation and Public Works Departments. (CM Gallo working on separate Resolution to create) (2) Require applicant to provide an additional \$100,000 to the neighborhoods (in addition to the \$100,000 already committed through discussions with Friends of the Grove) as "seed money" that can be added to the Local Traffic Mitigation Fund or the City NPP matching funds for additional transportation improvements.
Ridgelea NA	Implement traffic Mitigation/Calming for Bull Creek Road, Oakmont, Allandale and Ridgelea to slow traffic and improve safety.	
Oakmont Heights	Oakmont Heights has asked for ARG to set aside funds for traffic calming measures to both prevent and slow cut-through traffic in the Oakmont neighborhood.	
Oakmont Heights	Concerns about traffic increases at 45th and Bull Creek, all along Jackson, along Bull Creek as it borders the Oakmont Heights neighborhood, and at Jackson and 35th.	



MEMORANDUM

TO: Greg Guernsey, Director
Planning and Zoning Department

FROM: Robert Spillar, P.E., Director,
Austin Transportation Department 

DATE: October 7, 2016

SUBJECT: Review of Transportation Demand Management (TDM) Program for the
Grove at Shoal Creek; Developing an Accountability Contract

Austin Transportation Department staff have reviewed the Transportation Demand Management (TDM) Plan for the Grove at Shoal Creek. We are encouraged by the level of detail and comprehensiveness of the list of TDM strategies that the project is proposing. A TDM plan without accountability, however, is not a viable solution. We need to negotiate with the developer an accountability contract that would require deployment of the plan, on-going monitoring of outcomes and an escalation of requirements clause if the development fails to achieve the goals. The plan should clearly identify base line assumptions and aggressive goals for trip reduction.

After review of the TDM plan, transportation staff offer the following initial observations and comments:

- The document mentions 10%, 27%, and 34% reduction of daily trips. A 34% reduction will be an aggressive goal, but we support the project to achieve this aggressive trip reduction goal. In developing the accountability contract, we suggest that the baseline trip count be the unadjusted raw ITE trip generation rates. We have already discounted these rates to account for the mixed use nature of the proposed development. This decision by the developer to go mixed use can be viewed as an initial TDM element. This, in coordination with aggressive trip reduction goals would encourage the developer to be thoughtful about the mix of actual businesses and land uses placed on the site.

Alternatively, we would recommend reducing the trip reduction goals if the base trip production characteristics for analysis are determined to be the level documented in the Transportation Impact Analysis (TIA).

Additional gradations of the goals should also be provided and displayed as both a percentage reduction and an actual trip count.

- Consider removing the second section of trips and reduction rates (where you include pass-by trips). That section is confusing and open to incorrect interpretation.
- The document highlights many progressive TDM strategies that we support. We observe many of the strategies identified with a "could" qualifying language. We think it

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is reasonable for the project to maintain flexibility in the strategies they implement. As part of the accountability contract negotiations, some of these strategies should be expected to become mandatory rather than voluntary. Flexibility will need to be included in both the TDM Plan and the accountability contract to allow the development to implement and take credit for TDM measures that may not yet be envisioned or available here in Austin. It is proposed that the accountability contract be constructed in such a way that the developer would implement a certain range of measures and then verify the trip making characteristics of the development. If the developer has met the trip reduction goal, then he/she could continue with development and add additional elements to meet the next horizon goal. If the development cannot demonstrate attainment of a specific goal, then the developer would need to implement additional measures till they came within the required goal. However, the developer would be allowed to build up to the entitlements received at zoning and at site plan. After build out, they would be required to maintain and add additional TDM measures as needed to achieve TDM goals.

- The proposed development has a large residential mix for the project, it may be beneficial to include more residential focused TDM strategies, including: subsidies for public transit, cars here, and bikes here as part of the residential units; incentives for foldable bikes (as many of the existing bus routes are not within a quarter mile walking distance); first/last mile shuttle (as the rapid bus lines are not within a comfortable walking distance);
- The implementation and monitoring program outlined in the report provides a good framework for ensuring effectiveness of the TDM program. We suggest that the vehicle trip data collection, the employee and resident survey, and the annual report be conducted by an independent firm hired by the project but reporting to the City. Example organizations might include Movability (the downtown transportation management association or similar).
- As part of the accountability contract we need to contemplate an entity such as a property owners association to provide long-term responsibility for achieving the goals of the TDM plan. Trip reduction goals will necessarily need to carry forward, should portions of the property be released or sold.
- As part of this project, ATD will serve as the appropriate review entity for the plan and on-going monitoring. We would also suggest ATD staff conduct a site visit to observe infrastructure TDM strategies (e.g. allocation of car share spaces, designated carpool and vanpool spaces, etc.).
- The document does not articulate future scenarios:
 - Will the project need to submit an annual report indefinitely? We suggest that after completion of the development and if the project can demonstrate achievement of the trip reduction goals for some number of continuous years, then the plan will be assumed complete. The theory here is that at some point in the future, this project does not stand out from the surrounding development because the surrounding uses have normalized with the development, with similar trip making attributes and reduction rates.
 - If the project cannot meet its stated goals? We suggest that the project has a period of time in which to reach the stated goal (e.g. three years). If, after the

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period of time, the project is unable to meet the stated goals, then they can provide a specified amount of funding to the City to implement TDM strategies on their behalf.

- The TDM plan should be active during construction. The surrounding neighborhood has indicated a concern with construction related parking in the neighborhoods. Although there is probably sufficient on-site parking for construction workers, the activity will still impact the traffic conditions on the surrounding roadway. Implementing the TDM plan during construction will require innovative thinking about how to keep personal construction worker vehicles out of the community.

We need to schedule a meeting to discuss a plan for accountability. I am copying Andy Linseisen on this memo to request his help in getting a meeting scheduled.

Please do not hesitate to call me if you would like to discuss this issue further.

Cc: Andrew Linseisen, Acting Assistant Director, Development Services Department
Gordon Derr, Assistant Director, Austin Transportation Department
Eric Bollich, Managing Engineer, Austin Transportation Department
Annick Beaudet, Program Consultant, Austin Transportation Department
Sherri Sirwaitis, Planner III, Planning and Zoning Department
Tien-Tien Chan, Principal Planner, Austin Transportation Department