



2016

Shoal Creek Undercutting Concrete Apron



2016

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**West 45th Street Bridge and Street are
Functionally Obsolete**



TNRIS - 1952

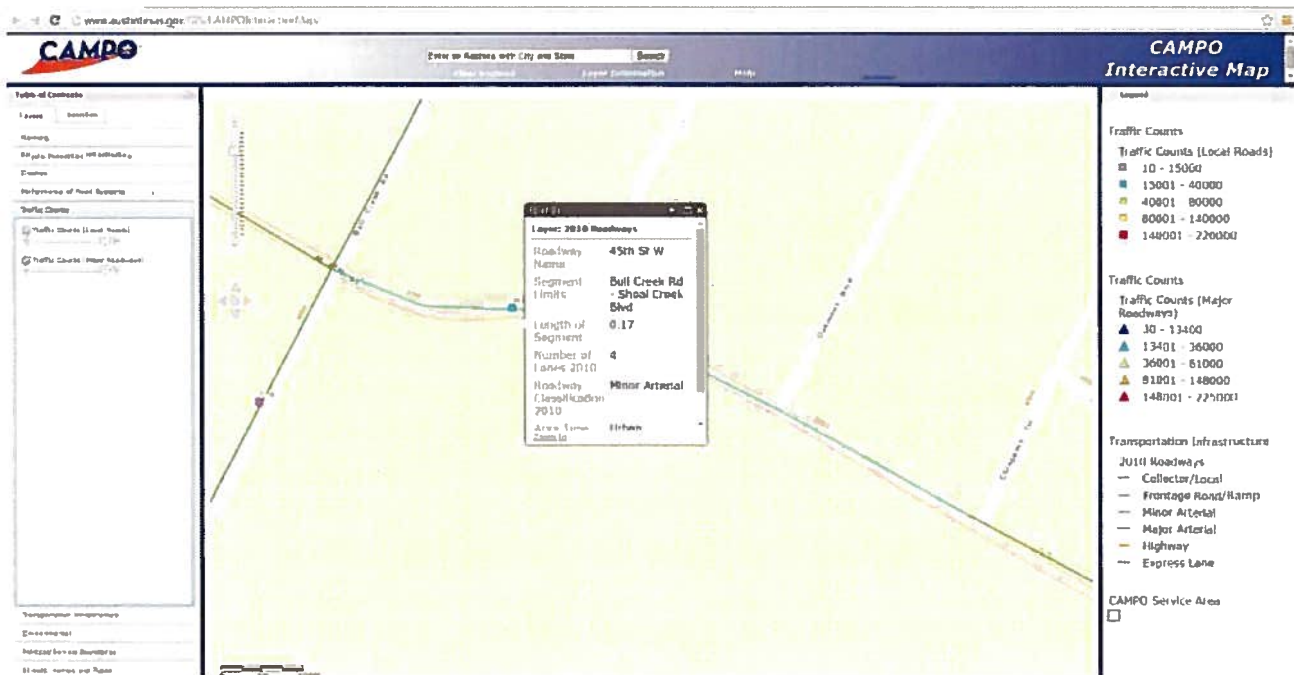
1952

**No Bridge - 45th Street
45th Street is a Residential Dirt Road**



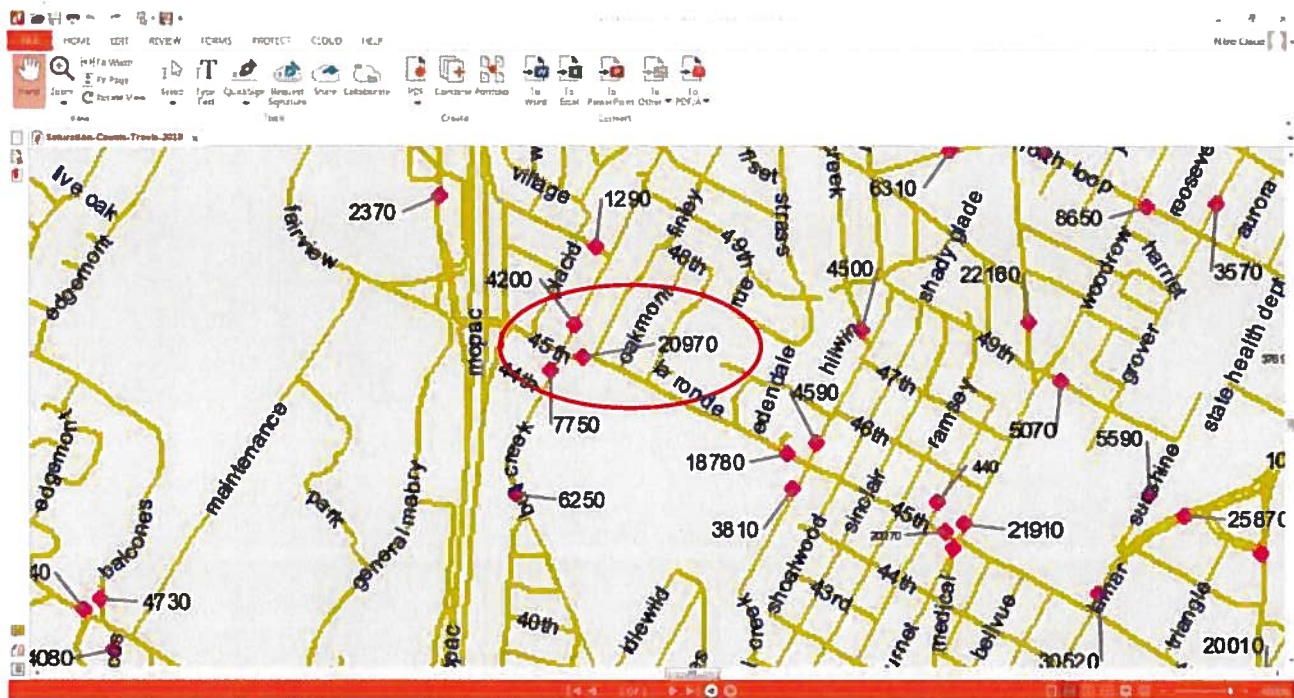
CAMPO

**CAMPO HAS CLASSIFIED THE BRIDGE OVER SHOAL CREEK AS
"FUNCTIONALLY OBSOLETE"**



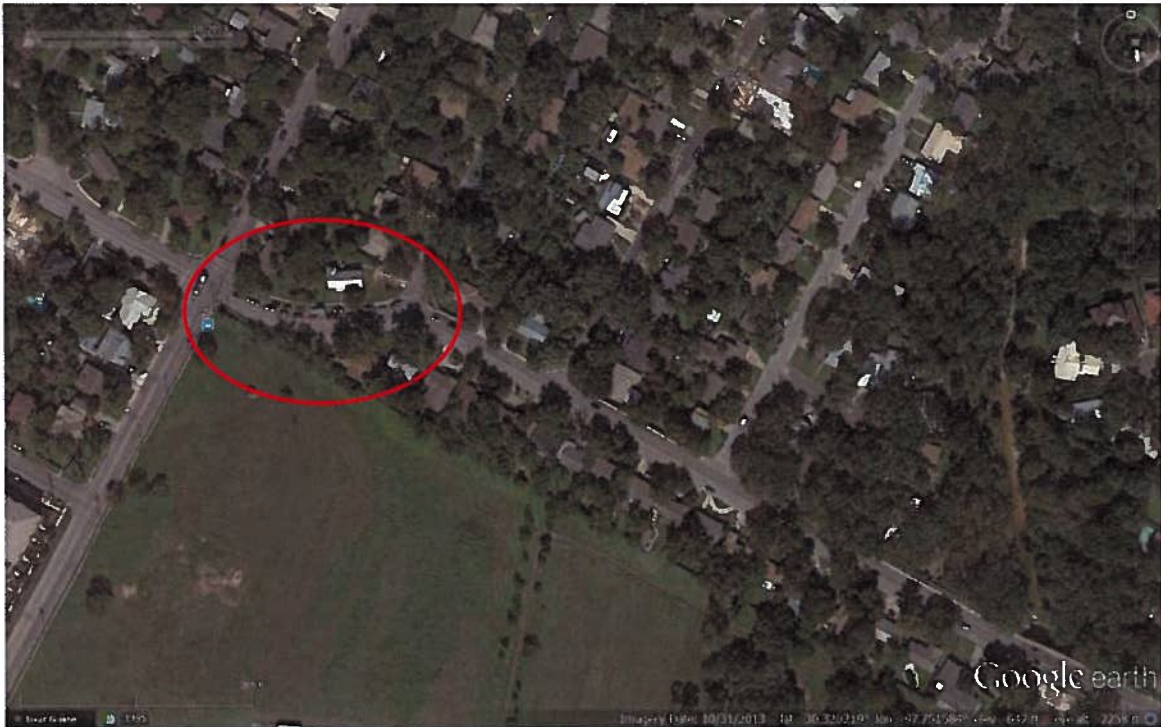
CAMPO

West 45th Street is Already Overburdened CAMPO Traffic Counts Grouping - 13401-36000



CAMPO

2016 CAMPO Count at 45th Street East of Bull Creek
20,970 DAILY TRIPS ALREADY



Google Earth - 2013

**Overhead - Traffic Back-Up East Bound on 45th Street (Typical)
Gap in Traffic Allows Use of Driveways on West 45th Street**



Google Earth - 2012

**Overhead - Traffic Back-Up East Bound on 45th Street (Typical)
Traffic Moving East on 45th Street - No Gap Now**



**Street View - Traffic Back-Up Eastbound on 45th Street (Typical)
This is with a Gap - Only Useable Time for Residential Driveways**



Street View - Traffic Back-Up Eastbound on 45th Street (Typical)
This is NOT a Westbound Gap - DO NOT GO!

CONCLUSIONS

Erosion:

Neither the City nor ARG have analyzed the interrelationship of the bridge of West 45th Street over Shoal Creek. The bridge and installed concrete apron have redirected the flow of the creek to the west - into the Grove PUD as planned and proposed. Erosion controls intended to save the bridge are redirecting and exacerbating erosion - and failing to save the bridge.

Functionally Obsolete Bridge:

The bridge of West 45th Street over Shoal Creek is FUNCTIONALLY OBSOLETE. It was not designed for and cannot handle the existing traffic - much less the traffic to be added by the Grove PUD as planned and proposed.

West 45th Street cannot handle the traffic:

West 45th Street is already overburdened - residents have no option for access other than 45th Street during gaps in traffic flow. (And no walking alternative.)

Inadequate studies:

Neither ARG nor the City Staff have studied the erosion interplay between the 45th Street Bridge and Shoal Creek. The erosion is NOT NATURE TAKING ITS COURSE.

Neither ARG nor the City Staff have studied the traffic on West 45th Street except as an outlet to dump the proposed development's traffic out and away from Bull Creek Road.

Neither ARG nor the City Staff have studied the impact of the proposed development's added traffic to the FUNCTIONALLY OBSOLETE residential road that used to be West 45th Street or the bridge over Shoal Creek - neither were designed for existing traffic - much less the added traffic. HAS ANYBODY ASKED THE CITY'S BRIDGE MAINTENANCE DEPARTMENT ABOUT THIS?

Neither ARG nor the City Staff have performed a Gap Study. (Traffic engineers do this all the time.) HAS ANYBODY ASKED THE CITY'S TRAFFIC DEPARTMENT ABOUT A GAP STUDY?

Proposed Grove PUD is not superior:

ARG should be presenting solutions to the City to get their approved PUD - All they have done is create problems - and dump them on the City to solve.

Are you frustrated? I sure am.

ARG!!



Susan Sharlot
President, Westminster Residents' Association
4200 Jackson Avenue
Apartment 5003
Austin, Texas 78731

July 28, 2016

RECEIVED

AUG 02 2016

City of Austin
Mayor's Office
Attention: Mayor Steve Adler
P.O. Box 1088
Austin, Texas 78767-1088

Planning & Zoning Department

Attention: District 10 City Council Member Sheri Gallo, Same address

Re: The Grove

Dear Mayor Adler and Council Member Gallo:

Enclosed for each of you is a copy of a petition signed by 288 residents of Westminster life care community. The signatories have had a year and a half to think about The Grove's development, and to observe the changes made after neighborhood input and negotiations with the Developer.

The petition speaks for itself and sets forth the conclusion of the majority of Westminster residents that ARG's design is for a superior master-planned community. The listed attributes are in accord with the vision of Imagine Austin for the future of our great City.

The petition signers, of whom I am one, urge the support of our City's leaders for The Grove's development by ARG.

Sincerely,



Susan Sharlot
President, Westminster Residents' Association
Mobile: 512-327-1627
Email: susansharlot38@gmail.com

Enclosure: Also, cc: Marc Ott, City Manager, and Greg Guernsey, Director, City of Austin Planning and Zoning Department (with enclosures)

Petition to the City of Austin

Petition summary and background	By signing this petition, I acknowledge I am a resident of Westminster and support "The Grove" Development Plan as presented by ARG Bull Creek, Ltd. to the City of Austin. The Grove is a superior master planned community that will provide neighborhood friendly stores and restaurants, a village center, parkland and pedestrian trails within walking distance from Westminster. It will also provide for an expansion of senior housing needs in Austin's urban core.
Action petitioned for	We, the undersigned, are concerned citizens and voters, and we urge our City leaders to support "The Grove" development by ARG.

Date	Printed Name	Signature	Apt. #	Address
5/7/16	Lloyd A Dwyer	Lloyd A Dwyer	3	4100 Jackson Avenue Austin, Texas 78731
5/7/16	Hester White	Hester White	4	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Janella McClain	Janella McClain	14	4100 Jackson Avenue Austin, Texas 78731
5/7/16	Helen Bordoggy	Helen Bordoggy	15	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6-7-16	MARGARET FARR	Margaret Farr	109	4100 Jackson Avenue Austin, Texas 78731
"	Jeanne Barrier	Jeanne Barrier	107	4100 Jackson Avenue Austin, Texas 78731
6/7/16	R.R. BRIDGES	R.R. Bridges	251	4100 Jackson Avenue Austin, Texas 78731
6-7-18	Ernestine Bridges	E. A. B.	251	4100 Jackson Avenue Austin, Texas 78731
6/7/16	ELIZABETH SOBERG	Elizabeth Soberg	204	4100 Jackson Avenue Austin, Texas 78731
6/7/16	JOAN BALDAUF	Joan Baldauf	203	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Mike Nelson	Mike Nelson	208	4100 Jackson Avenue Austin, Texas 78731
6/7/16	F.B. Baker	F.B. Baker	208	4100 Jackson Avenue Austin, Texas 78731
6/7/16	MALCOLM FERGUSON	Malcolm Ferguson	215	4100 Jackson Avenue Austin, Texas 78731
6/7/16	FAYE CARNES	Faye Carnes	216	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Julia Jewett	Julia Jewett	9	4100 Jackson Avenue Austin, Texas 78731
6/7/16	MARY A. SENG	Mary A. Seng	18	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/7/16	Martha F. Burns	Martha F. Burns	135	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Billye Jones	Billye Jones	120	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Jane Briney	Jane Briney	501	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Louise Reck	Louise Reck	125	4100 Jackson Avenue Austin, Texas 78731
6/7/16	JACK B. HANKS	JACK B. HANKS	248	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Johnie Sue Hanks	Johnie Sue Hanks	248	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Roxanne Williamson	Roxanne Williamson	218	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Jackie E. Therese	Jackie E. Therese	382	4100 Jackson Avenue Austin, Texas 78731
6/7/16	MELVIN ECKHOFF	Melvin Eckhoff	231	4100 Jackson Avenue Austin, Texas 78731
6/7/16	LYDIA BLANCHARD	Lydia Blanchard	231	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Martha Q. Kopyn	MARIE A. KOPRA	233	4100 Jackson Avenue Austin, Texas 78731
6/7/16	SHARON KAHN	Sharon Kahn	234	4100 Jackson Avenue Austin, Texas 78731



Date	Printed Name	Signature	Apt. #	Address
6/7/16	Louise Falousek	Louise Falousek	235	4100 Jackson Avenue Austin, Texas 78731
6/7/16	John B. Sanders	John B. Sanders	239	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Ellen L. Babinsky	Ellen L. Babinsky	243	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Russell H. Brown	Russell H. Brown	240	4100 Jackson Avenue Austin, Texas 78731
6/8	Goldan Flack	John Flack	366	4100 Jackson Avenue Austin, Texas 78731
6/8	JANIE FLECK	JANIE FLECK	366	4100 Jackson Avenue Austin, Texas 78731
6-8	Hannah Smith	Hannah Smith	363	4100 Jackson Avenue Austin, Texas 78731
6-8	J. Frances Sharpe	(Fran) Sharpe	353	4100 Jackson Avenue Austin, Texas 78731
6-8	DARRELL D. SANDERSON	Darrell D. Sanderson	359	4100 Jackson Avenue Austin, Texas 78731
6/8	Louise Brewster	Louise Brewster	308	4100 Jackson Avenue Austin, Texas 78731
6/8	Merle Conley	Merle Conley	301	4100 Jackson Avenue Austin, Texas 78731
6/9	Helen Fletcher	Helen Fletcher	309	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
4/9	MARJORIE EASON	Marjorie Eason	310	4100 Jackson Avenue Austin, Texas 78731
4/9	SELENE C. WISSEMAN	SELENE C. WISSEMAN	315	4100 Jackson Avenue Austin, Texas 78731
4/9	CONNIE ROBERTS	Connie Roberts	322	4100 Jackson Avenue Austin, Texas 78731
4/9	Willard B. Brown	Willard B. Brown	332	4100 Jackson Avenue Austin, Texas 78731
4/9	Ira S. Speranza	Ira S. Speranza	342	4100 Jackson Avenue Austin, Texas 78731
4/9	GARCE SPERANZA	GARCE SPERANZA	342	4100 Jackson Avenue Austin, Texas 78731
4/9	Margaret Wesler	Margaret Wesler	345	4100 Jackson Avenue Austin, Texas 78731
4/9	William Craver	WILLIAM CRAVER	347	4100 Jackson Avenue Austin, Texas 78731
4/9	Neva Scott	Neva Scott	362	4100 Jackson Avenue Austin, Texas 78731
4/9	WILLIAM GREGORY	William Gregory	365	4100 Jackson Avenue Austin, Texas 78731
4/9	ELEANORA OLSON	ELEANORA OLSON	351	4100 Jackson Avenue Austin, Texas 78731
4/9	Rosella Sayers	Rosella Sayers	470 355	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6-9	Leonard Sayers	Leonard Sayers	470	4100 Jackson Avenue Austin, Texas 78731
6/9	JAN JURECK	JAN JURECK	# 456	4100 Jackson Avenue Austin, Texas 78731
6/9	Joyce Stewart	Joyce Stewart	# 457	4100 Jackson Avenue Austin, Texas 78731
6/9	PETER T. KIRK	PETER T. KIRK	# 463	4100 Jackson Avenue Austin, Texas 78731
6/9	JOAN W. KIRK	JOAN W. KIRK	# 441	4100 Jackson Avenue Austin, Texas 78731
6/9	BETTY JOURNEY	Betty Journey	# 440	4100 Jackson Avenue Austin, Texas 78731
6/9	Vilma Falck	Vilma Falck	# 437	4100 Jackson Avenue Austin, Texas 78731
6/9	Lucille Harrell	Lucille Harrell	# 435	4100 Jackson Avenue Austin, Texas 78731
6/9	Lester Harrell	Lester Harrell	435	4100 Jackson Avenue Austin, Texas 78731
6/9	Dorothy Penn	Dorothy Penn	433	4100 Jackson Avenue Austin, Texas 78731
6-9	JEAN MARIN	JEAN MARIN	428	4100 Jackson Avenue Austin, Texas 78731
6/9	MARION LEWIS	MARION LEWIS	405	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6-9	DORIS HARREL	Doris Harrel	423	4100 Jackson Avenue Austin, Texas 78731
6/9	Isabel Furlberg	Isabel Furlberg	421	4100 Jackson Avenue Austin, Texas 78731
6/9	PAULINE RICH	Pauline Rich	509	4100 Jackson Avenue Austin, Texas 78731
6-9	Evelyn Furlberg	Evelyn Furlberg	519	4100 Jackson Avenue Austin, Texas 78731
6/9	JIM HAWLEY	Jim Hawley	516	4100 Jackson Avenue Austin, Texas 78731
6/9	EDITHA HAWLEY	Editha Hawley	516	4100 Jackson Avenue Austin, Texas 78731
6/9	WELLS JACOBSON	Wells Jacobson	519	4100 Jackson Avenue Austin, Texas 78731
6/9	HARRY Tipton	Harry Tipton	520	4100 Jackson Avenue Austin, Texas 78731
6/9	Cathy Renner	Cathy Renner	522	4100 Jackson Avenue Austin, Texas 78731
6/9	JOHN A. ERLWIN	John A. Erlwin	536	4100 Jackson Avenue Austin, Texas 78731
6/9	Brenda K. Mearns	Brenda K. Mearns	529	4100 Jackson Avenue Austin, Texas 78731
6/9	Janet Maxon	Janet Maxon	445	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/9	Sam A. Mc	Donald G. Davis Jr.	439	4100 Jackson Avenue Austin, Texas 78731
6/9	Lucy Hanks	Lucy Hanks	429 ^{Duplex} 429	4100 Jackson Avenue Austin, Texas 78731
4/9	KATE BERGQUIST	Kate Bergquist	452	4100 Jackson Avenue Austin, Texas 78731
6/9	Pat O. Gienling	Pat O. Gienling	469	4100 Jackson Avenue Austin, Texas 78731
6/9	EDNA HASSINGER	Edna Hassinger	469	4100 Jackson Avenue Austin, Texas 78731
6/9	Patsy Hunter	Patsy B. Hunter	431	4100 Jackson Avenue Austin, Texas 78731
6/9	Gretchen Runge	Gretchen Runge	406	4100 Jackson Avenue Austin, Texas 78731
6/9	Phyllis Richards	Phyllis Richards	411	4100 Jackson Avenue Austin, Texas 78731
6/9	BETTY HENDRIX	Betty Hendrix	123	4100 Jackson Avenue Austin, Texas 78731
6/9	Lois Anderson	Lois Anderson	126	4100 Jackson Avenue Austin, Texas 78731
6/9	RUTH LEHMAN	Ruth Lehman	11	4100 Jackson Avenue Austin, Texas 78731
6/9	PAUL LEHMAN	Paul Lehman	11	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/9	HERBERT BRAVIST		144	4100 Jackson Avenue Austin, Texas 78731
6/6	Dorrie Bush	Dorrie Bush	517	4100 Jackson Avenue Austin, Texas 78731
6/6	Eury Bush	Eury Bush	517	4100 Jackson Avenue Austin, Texas 78731
6/6	MAURINE ATWOOD	Maurine Atwood	4017	4100 Jackson Avenue Austin, Texas 78731
6/6	Mary Brooks	Mary Brooks	4014	4100 Jackson Avenue Austin, Texas 78731
6/6	Phyllis Schenken	Phyllis R. Schenken	367	4100 Jackson Avenue Austin, Texas 78731
6/6	Robert Artichauer	Robert Artichauer	5015	4100 Jackson Avenue Austin, Texas 78731
6/6	Susan Sharlot	Susan Sharlot	5003	4100 Jackson Avenue Austin, Texas 78731
6/6	Helen Spear	Helen C. Spear	5005	4100 Jackson Avenue Austin, Texas 78731
6/6	JACK R MILLER	Jack R Miller	2003	4100 Jackson Avenue Austin, Texas 78731
6/6	MURNA MILLER	Murna Miller	2003	4100 Jackson Avenue Austin, Texas 78731
6/6				4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/6/16	Jessie Slocum	Jessie Slocum	# 138	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Jessie Slocum	Jessie Slocum	138	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Martha Foster	Martha Foster	5016	4100 Jackson Avenue Austin, Texas 78731
6/6/16	June Foster	June Foster	16	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Cynthia Leach	Cynthia Leach	4009	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Jacqueline Slocum	Jacqueline Slocum	5	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Lib Harris	Lib Harris	314	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Beverly S. Thomas	Beverly S. Thomas	137	4100 Jackson Avenue Austin, Texas 78731
6/6/16	PABLO RUIZ	Pablo Ruiz	4009	4100 Jackson Avenue Austin, Texas 78731
6-6-16	Reuben Brooks	Reuben Brooks	4014	4100 Jackson Avenue Austin, Texas 78731
6-6-16	THEOPHIL BLOOM	THEOPHIL BLOOM	250	4100 Jackson Avenue Austin, Texas 78731
6/7/16	ANNE BRADY	ANNE BRADY	15	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/6/16	William Mueller	William Mueller	4013	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Nancy Satterfield Nancy Satterfield	Nancy Satterfield	4016	4100 Jackson Avenue Austin, Texas 78731
	Eric Martin	Eric Martin	306	4100 Jackson Avenue Austin, Texas 78731
6/6/16	John H. Burttschell	John H. Burttschell	338	4100 Jackson Avenue Austin, Texas 78731
6/6/16	" ^x B. Andrews	B.J. Andrews	1015	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Bill Locy	Bill Locy	5007	4100 Jackson Avenue Austin, Texas 78731
6/6/16	Jack Locy	Jack J. Locy	5007	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Lillian Gray	Lillian Gray	104	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Alpha Ross	Alpha Ross	118	4100 Jackson Avenue Austin, Texas 78731
6-7-16	Judith Nickerson	Judith Nickerson	119	4100 Jackson Avenue Austin, Texas 78731
6/7/16	Lanise Miller	Lanise Miller	116	4100 Jackson Avenue Austin, Texas 78731
6-7-16	Ann Buck	Ann A. Buck	117	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/13/14	Janice E. Stoner	Janice E. Stoner	515	4100 Jackson Avenue Austin, Texas 78731
6/13/14	Charles Chia	Charles Chia	17	4100 Jackson Avenue Austin, Texas 78731
6/13/14	REBECCA Vivian Chang	REBECCA Vivian Chang	514 ⁵²⁴	4100 Jackson Avenue Austin, Texas 78731
	Lin Chang	Lin Chang	104 ⁵¹⁴	4100 Jackson Avenue Austin, Texas 78731
	Paula Hurdley	PAULA HURDLEY	110	4100 Jackson Avenue Austin, Texas 78731
	Rebecca	REBECCA	142	4100 Jackson Avenue Austin, Texas 78731
	R. MULLER HICKS	R. M. Muller Hicks	145	4100 Jackson Avenue Austin, Texas 78731
	Margaret Winters	MARGARET WINTERS	134	4100 Jackson Avenue Austin, Texas 78731
	Jack H Taylor	JACK TAYLOR	132	4100 Jackson Avenue Austin, Texas 78731
	W. L. Koller	W. L. Koller	141	4100 Jackson Avenue Austin, Texas 78731
	Charles Wagon	Charles Wagon	106	4100 Jackson Avenue Austin, Texas 78731
	Peggy Phillips	Peggy Phillips	518	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
JUNE 13-16	JERRY A. HUNT	Jerry A. Hunt	128	4100 Jackson Avenue Austin, Texas 78731
6/13/16	SHEILA KELLY	Sheila McKelley	202	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Sally Snyder	Suzanne L. Snyder	205	4100 Jackson Avenue Austin, Texas 78731
4/13/16	HELEN COVER	Helene Cover	214	4100 Jackson Avenue Austin, Texas 78731
6/13/16	MIMI ARONOFF	Mimi Aronoff	220	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Maggie Leach	Maggie Leach	238	4100 Jackson Avenue Austin, Texas 78731
6/13/16	ANN KANE	Ann Kane	302	4100 Jackson Avenue Austin, Texas 78731
6/13/16	MARY BARKS	Mary Barks	320	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Sepal Mooneyham	Sepal Mooneyham	323	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Catherine Goodwin	Catherine M. Goodwin	334	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Lindley Ray	Lindley Ray	338	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Robert Elsey	Robert Elsey		4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/13/14	NORMAN ERNST	Norman Ernst	353	4100 Jackson Avenue Austin, Texas 78731
	Joan Graham	Joan Graham	358	4100 Jackson Avenue Austin, Texas 78731
	Glen Gatz	Glen Gatz	404	4100 Jackson Avenue Austin, Texas 78731
	JO BETSY SEEBEHELY	JO BETSY SEEBEHELY	418	4100 Jackson Avenue Austin, Texas 78731
	Catherine Wahrmund	Catherine Wahrmund	416	4100 Jackson Avenue Austin, Texas 78731
	Lillian Brown	Lillian B Brown	416	4100 Jackson Avenue Austin, Texas 78731
	NORA REESE	NORA B. REESE	420	4100 Jackson Avenue Austin, Texas 78731
	Mary Lee Ausley	Mary Lee Ausley	424	4100 Jackson Avenue Austin, Texas 78731
	Margaret Berry	Margaret Berry	425	4100 Jackson Avenue Austin, Texas 78731
	Julia Mellenbruch	Julia Mellenbruch	444	4100 Jackson Avenue Austin, Texas 78731
	Frances Richter	Frances R. Richter	530	4100 Jackson Avenue Austin, Texas 78731
	Arlin Hinton	Arlin Hinton	532	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/13/16	Katherine Race	Katherine Race	524	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Annette Turner	Annette Turner	521	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Georgine Webb	Georgine Webb	508	4100 Jackson Avenue Austin, Texas 78731
6/14/16	Billy Faye Howard	Billy Faye Howard	111	4100 Jackson Avenue Austin, Texas 78731
6/14/16	Donald Bobb	Donald Bobb	105	4100 Jackson Avenue Austin, Texas 78731
6/14/16	Pat Wright	Pat Wright	#7	4100 Jackson Avenue Austin, Texas 78731
6/14/16	T.B. Wright	T.B. Wright	#7	4100 Jackson Avenue Austin, Texas 78731
6/14/16	Jane Whithead	Jane B. Whithead	922	4100 Jackson Avenue Austin, Texas 78731
6/14/16	Jane Ader	Jane B. Ader	127	4100 Jackson Avenue Austin, Texas 78731
	Genevieve Taylor	Genevieve Taylor	133	4100 Jackson Avenue Austin, Texas 78731
6/14/16	Jane Robichaux	Jane Robichaux	115	4100 Jackson Avenue Austin, Texas 78731
	Louise Tang	Louise Tang	19	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/14/14	Tim Bond	Off Bond	103	4100 Jackson Avenue Austin, Texas 78731
	ALICE R. PRYOR	Alice Pryor	201	4100 Jackson Avenue Austin, Texas 78731
	Peggy Bergh	Peggy Bergh	211	4100 Jackson Avenue Austin, Texas 78731
	Mary Kahler	Mary Kahler	221	4100 Jackson Avenue Austin, Texas 78731
	John McKetta	John McKetta	229	4100 Jackson Avenue Austin, Texas 78731
	Marie McPhail	Marie McPhail	246	4100 Jackson Avenue Austin, Texas 78731
	Betty Hay	Betty Hay	247	4100 Jackson Avenue Austin, Texas 78731
	Wanda Anderson	Wanda Anderson	248	4100 Jackson Avenue Austin, Texas 78731
	Tracy Aycock	Tracy Aycock	331	4100 Jackson Avenue Austin, Texas 78731
	John Clark	John Clark		4100 Jackson Avenue Austin, Texas 78731
	Dorothy Nealey	Dorothy Nealey	409	4100 Jackson Avenue Austin, Texas 78731
	Mary Jansen	Mary Jansen	447	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
4/14/16	Alice Pasley	Alice H. Pasley	461	4100 Jackson Avenue Austin, Texas 78731
6/15/16	Jack Howard	Jack Howard	331	4100 Jackson Avenue Austin, Texas 78731
6/15/16	Helen Hooper	Helen Hooper	108	4100 Jackson Avenue Austin, Texas 78731
	CHARLOTTE GRES	Charlotte Gres	330	4100 Jackson Avenue Austin, Texas 78731
9/15/16	JEAN BARAE	Jean Barae	502	4100 Jackson Avenue Austin, Texas 78731
6/15/16	Rosemary Loose	Rosemary Loose	124	4100 Jackson Avenue Austin, Texas 78731
6/16/16	Nancy R Keith	Nancy R Keith	140	4100 Jackson Avenue Austin, Texas 78731
	Jerry Keith	Jerry Keith	140	4100 Jackson Avenue Austin, Texas 78731
				4100 Jackson Avenue Austin, Texas 78731
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Petition to the City of Austin

Petition summary and background	By signing this petition, I acknowledge I am a resident of Westminster and support "The Grove" Development Plan as presented by ARG Bull Creek, Ltd. to the City of Austin. The Grove is a superior master planned community that will provide neighborhood friendly stores and restaurants, a village center, parkland and pedestrian trails within walking distance from Westminster. It will also provide for an expansion of senior housing needs in Austin's urban core.
Action petitioned for	We, the undersigned, are concerned citizens and voters, and we urge our City leaders to support "The Grove" development by ARG.

Date	Printed Name	Signature	Apt. #	Address
6-8-16	NANCY RAPER	Nancy Raper	336	4100 Jackson Avenue Austin, Texas 78731
6-8-16	Lucy Hanks	Lucy Hanks	429	4100 Jackson Avenue Austin, Texas 78731
6/8/16	JAMES G FOSTER	James G Foster	443	4100 Jackson Avenue Austin, Texas 78731
6/8/16	M. Van Sickle	M. Van Sickle	516	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/9/2016	W Douglas Sampson	<i>W Douglas Sampson</i>	243	4100 Jackson Avenue Austin, Texas 78731
6/16/14	JULIAN MARTIN	<i>Julian G. Martin</i>	306	4100 Jackson Avenue Austin, Texas 78731
6/9/16	Kathleen P Kelly	<i>Kathleen P Kelly</i>	245	4100 Jackson Avenue Austin, Texas 78731
6/9/16	Carolyn H Hyrson	<i>Carolyn H Hyrson</i>	508	4100 Jackson Avenue Austin, Texas 78731
6/9/16	<i>Floyd Brandt</i>	<i>Floyd Brandt</i>	5012	4100 Jackson Avenue Austin, Texas 78731
6/9/16	Marian Claman	<i>Marian Claman</i>	5009	4100 Jackson Avenue Austin, Texas 78731
6/9/16	KATHERINE NELSON	<i>Katherine Nelson</i>	5014	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Lois K. Dowling	<i>Lois K. Dowling</i>	403	4100 Jackson Avenue Austin, Texas 78731
6/13/16	FRANK COBERT, M.D.	<i>Frank Cobert, M.D.</i>	5002	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Patricia L. Curtis			4100 Jackson Avenue Austin, Texas 78731
6/13/16	PATRICIA L. CURTIS	<i>Patricia L. Curtis</i>	1020	4100 Jackson Avenue Austin, Texas 78731
6/13	JUDY C TALBOT	<i>Judy C Talbot</i>	5023	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/14/2016	Dorothy C. Brown	Dorothy C. Brown	4021	4100 Jackson Avenue Austin, Texas 78731
6-14	Joann Smith	Joann Smith	3003	4100 Jackson Avenue Austin, Texas 78731
6/14	Joann Crossley	Joann Crossley	1002	4100 Jackson Avenue Austin, Texas 78731
6/14	Emilia Martin	Emilia Martin	5026	4100 Jackson Avenue Austin, Texas 78731
6/14	Norma Martin	Norma Martin	5026	4100 Jackson Avenue Austin, Texas 78731
6-14	Nancy Merritt	Nancy Merritt	1005	4100 Jackson Avenue Austin, Texas 78731
6-14	Virginia Nokes	Virginia Nokes	1009	4100 Jackson Avenue Austin, Texas 78731
6-14	Hal Venton	H. H. Venton	1008	4100 Jackson Avenue Austin, Texas 78731
6-14	Rita M. Keaton	Rita M. Keaton	1007	4100 Jackson Avenue Austin, Texas 78731
6-14	RE Kelly	RE Kelly	1010	4100 Jackson Avenue Austin, Texas 78731
6-14	MARGARET S KELLY	Margaret S. Kelly	1010	4100 Jackson Avenue Austin, Texas 78731
6-16	Barry Hayes	Barry Hayes	4018	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/8/16	Barry Taylor	Barry Taylor	4008	4100 Jackson Avenue Austin, Texas 78731
"	Katherine Taylor	Katherine B Taylor	4208	4100 Jackson Avenue Austin, Texas 78731
"	ANN MARIE HARRISON	Ann Marie Harrison	2002	4100 Jackson Avenue Austin, Texas 78731
"	Joyce C. Sampson	Joyce C. Sampson	438	4100 Jackson Avenue Austin, Texas 78731
"	Jane & Shetelman	Jane & Shetelman	343	4100 Jackson Avenue Austin, Texas 78731
"	Tom W. Shetelman	Tom W. Shetelman	343	4100 Jackson Avenue Austin, Texas 78731
6/8/16	CAROLE M. SIKES	Carol M Sikes	2000	4100 Jackson Avenue Austin, Texas 78731
6/8/16	CHARLES T SIKES	Charles T. Sikes	2000	4100 Jackson Avenue Austin, Texas 78731
6/8/16	JAN SCURLOCK	Jan Scurlock	456	4100 Jackson Avenue Austin, Texas 78731
6-9-16	MARY C. BOHLS	Mary C. Bohls	228	4100 Jackson Avenue Austin, Texas 78731
6-9	Catherine Hubbs	Catherine Hubbs	236	4100 Jackson Avenue Austin, Texas 78731
6-9-16	Sally Leach	Sally Leach	3008	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/8/16	Virginia McDermott	Virginia McDermott	1012	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Carrie Patman	Carrie Patman	4023 apt. 2738 Heath Center	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Diane Mangy	Anna Ritter	2256	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Dakota Smith	Lorrie Smith	2253	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Virginia Stotts	Virginia Stotts	1	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Clarice Pfluger	Glenn Pfluger	Heath Ctr	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Forrest Hill (Cornelia)	Forrest Hill	311 Heath Ctr	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Connie Moore	Connie Moore	2208	4100 Jackson Avenue Austin, Texas 78731
6/13/16	John I. Simpson	John I. Simpson	438	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Shirley Rubinet	Shirley Rubinet	4026	4100 Jackson Avenue Austin, Texas 78731
6/13/16	Jackie Hiege	Jackie Hiege	4027	4100 Jackson Avenue Austin, Texas 78731
6/14/16	Mark Therman	MAX SHERMAN	3007	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6/8/16	MARION DEFORD	Marion Deford	503	4100 Jackson Avenue Austin, Texas 78731
6/8/16	SUSAN CLEVELAND	Susan Cleveland	414	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Kathryn Turner	Kathryn Turner	427	4100 Jackson Avenue Austin, Texas 78731
6/8/16	EDIE HAWLEY	Edie Hawley	515	4100 Jackson Avenue Austin, Texas 78731
6/8/16	SHIRLEY M ^{CE} EE	Shirley M ^{CE} EE	101	4100 Jackson Avenue Austin, Texas 78731
6/8/16	SPENCER ROSENFELD	Spencer Rosenfeld	418	4100 Jackson Avenue Austin, Texas 78731
6/8/16	CHARLOTTE GRES Charlotte	Charlotte Charlotte	330	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Carol Williams	Carol Williams	5017	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Beverly Shivers	Beverly Shivers	3010	4100 Jackson Avenue Austin, Texas 78731
6-8-16	PAULA HUNDLEY	Paula Hundley	110	4100 Jackson Avenue Austin, Texas 78731
6-8-16	JAY COWLEY	Jan Cowley	3002	4100 Jackson Avenue Austin, Texas 78731
	JOAN MUELLER	Joan Mueller	4015	4100 Jackson Avenue Austin, Texas 78731

Date	Printed Name	Signature	Apt. #	Address
6-8-16	Sheldon Lloyd	Sheldon Lloyd	5021	4100 Jackson Avenue Austin, Texas 78731
6-8-16	Ruby Lloyd	Ruby L. Lloyd	5021	4100 Jackson Avenue Austin, Texas 78731
"	Young Schreder	Young Schreder		4100 Jackson Avenue Austin, Texas 78731
6-8-16	FRANK MILMAN	Frank Milman	4005	4100 Jackson Avenue Austin, Texas 78731
6-8-16	DINA MILMAN	Dina Milman	4005	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Judy Corwin	Judy Corwin	422	4100 Jackson Avenue Austin, Texas 78731
6/8/16	JACK ROSSCH	Jack Rossch	1014	4100 Jackson Avenue Austin, Texas 78731
6/8/16	WILLIAM CRAVER	William Craver	347	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Nancy Kevorkian	Nancy Kevorkian	3004	4100 Jackson Avenue Austin, Texas 78731
6/8/16	R. THOMAS HOCZBACH, MD	R. Thomas Hoczbach, MD	3004	4100 Jackson Avenue Austin, Texas 78731
6/8/16	CM. Carr mm Carr	CM Carr	2001	4100 Jackson Avenue Austin, Texas 78731
6/8/16	Sanet Carr	Sanet Carr	2001	4100 Jackson Avenue Austin, Texas 78731

2

Date	Printed Name	Signature	Apt. #	Address
6-8-16	Harry Middleton	Harry Middleton	4012	4100 Jackson Avenue Austin, Texas 78731
6-8-16	Helen J Rasmussen	Helen J Rasmussen	4004	4200 Jackson Avenue Austin, Texas 78731
6-8-16	MARJORIE EASON	Marjorie Eason	310	4100 Jackson Avenue Austin, Texas 78731
6-8-16	Betty Bennie	Betty Bennie	5013	4200 Jackson Avenue Austin, Texas 78731
6-8-16	Anna Shreed	Anna Shreed	316	4100 Jackson Avenue Austin, Texas 78731
6/8/16	William Schleuse	William Schleuse	1012	4200 Jackson Avenue Austin, Texas 78731
"	James Pearson, Jr	James Pearson, Jr	4012	4100 Jackson Avenue Austin, Texas 78731
6-8-16	Martha Frede	Martha Frede	5016	4200 Jackson Avenue Austin, Texas 78731
6-8-16	Lowell ^{JAN} Lozier ROBERTS	Jan Roberts	241	4100 Jackson Avenue Austin, Texas 78731
6-8-16	JAN EASON	Jan Eason	4012	4100 Jackson Avenue Austin, Texas 78731
6-8-16	JIM LOZIEL	Jim Lozier	4007	4200 Jackson Avenue Austin, Texas 78731
6/8/16	DELLA LOZIER	Della Lozier	4007	4200 Jackson Avenue Austin, Texas 78731

[illegible]

[illegible]

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 consist 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

Sirwaitis, Sherri

From: Guernsey, Greg
Sent: Wednesday, September 07, 2016 8:09 AM
To: Rusthoven, Jerry; Sirwaitis, Sherri
Subject: FW: C814-2015-0074 - The Grove at Shoal Creek PUD
Attachments: Letter to Council- The Grove at Shoal Creek PUD.pdf

FYI

From: Michael Curry [mailto:mcmediate@msn.com]
Sent: Wednesday, September 07, 2016 1:04 AM
To: Linseisen, Andrew; Derr, Gordon
Cc: Sirwaitis, Sherri; Guernsey, Greg; Edwards, Sue; Adler, Steve; Tovo, Kathie; Houston, Ora; Garza, Delia; Renteria, Sabino; Pool, Leslie; Casar, Gregorio; Kitchen, Ann; Gallo, Sheri; Troxclair, Ellen; Zimmerman, Don
Subject: C814-2015-0074 - The Grove at Shoal Creek PUD

Dear Messrs. Linseisen and Derr:

As reflected in my August 8, 2016 letter to the City Council (attached), I share the public's concern over the traffic impact of the proposed Grove at Shoal Creek PUD.

This email concerns the (1) absence of any discussion in the TIA directly addressing the operating level of Bull Creek Road and (2) the absence of a Neighborhood Traffic Analysis for Bull Creek Road. As you know, virtually all of the traffic that will be generated by 110 single family dwelling units, 600 apartments, 425 condominium/townhouse units, 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 enters and exits onto Bull Creek Road.

Information about the operating level of Bull Creek Road before and after the project is built is extremely important to the public and, I suspect, to the City Council. Additionally that information is mandated by Land Development Code § 25-6-114. Whatever the rationale, the failure to do a Neighborhood Traffic Analysis for Bull Creek Road gives the appearance to the public of corner-cutting. The public and the City Council have a right to know the existing and projected traffic counts to better assess the impact and the proposed remedial measures.

I understand that you were both very involved with the traffic analysis for this project or supervise staff members who were. Accordingly, you should be in a good position to answer these questions the answers to which I could not find in the TIA:

- 1. What is the existing 24 hour daily volume traffic count on Bull Creek Road?**
- 2. A Neighborhood Traffic Analysis was performed for Jackson Ave. Why was a Neighborhood Traffic Analysis not performed for Bull Creek Road which adjoins three residential neighborhoods?**

Thank you for your prompt attention to this request and for your service on behalf of the citizens of Austin.

Sincerely,

Michael Curry

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. $15\text{ft} \times 19,442 = 291,630\text{ ft}$. There are 5,280 feet in a mile. $291,630 \div 5280 = 55.23\text{ miles}$.

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 (\approx 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 development⁹ 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 units, 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

Sirwaitis, Sherri

From: Lesniak, Chuck
Sent: Monday, September 12, 2016 10:27 AM
To: Rusthoven, Jerry; Guernsey, Greg; Sirwaitis, Sherri; Linseisen, Andrew; Robinson, Elizabeth [Beth]
Subject: FW: Shoal Creek Conservancy - Statement on The Grove
Attachments: Application of SCC Goals to Grove Development proposal.pdf; ATT00001.htm; SCC Goals Statement 10 Sep 2016.pdf; ATT00002.htm
Importance: High

FYI

From: Pantalion, Joe
Sent: Monday, September 12, 2016 10:10 AM
To: Lesniak, Chuck <chuck.lesniak@austintexas.gov>
Subject: Fwd: Shoal Creek Conservancy - Statement on The Grove

Begin forwarded message:

From: Joanna Wolaver [REDACTED]
Date: September 12, 2016 at 9:54:46 AM CDT
To: <Steve.Adler@austintexas.gov>, "Tovo, Kathie" <Kathie.Tovo@austintexas.gov>, <Leslie.Pool@austintexas.gov>, <Ora.Houston@austintexas.gov>, "Garza, Delia" <Delia.Garza@austintexas.gov>, <Sabino.Renteria@austintexas.gov>, <Gregorio.Casar@austintexas.gov>, <Ann.Kitchen@austintexas.gov>, <Don.Zimmerman@austintexas.gov>, <Ellen.Troxclair@austintexas.gov>, <Sheri.Gallo@austintexas.gov>
Cc: Marc <marc.ott@austintexas.gov>, Sue <Sue.Edwards@austintexas.gov>, <bert.lumbreras@austintexas.gov>, Ted Siff <teds@shoalcreekconservancy.org>, Joe Pantalion <Joe.Pantalion@austintexas.gov>, Sara Hensley <Sara.Hensley@austintexas.gov>, "sara.hartley@austintexas.gov" <sara.hartley@austintexas.gov>
Subject: Shoal Creek Conservancy - Statement on The Grove

Dear Mayor and City Council Members:

I am writing to share Shoal Creek Conservancy's (SCC) statement on The Grove on Shoal Creek project, located at Bull Creek Road and 45th Street. Each public position or comment taken and/or made by SCC is consistent with SCC's goals (please see attached SCC Goals document). SCC may raise concerns or objections to ensure that a project is compatible with these goals. Our position and public statements regarding The Grove are and will continue to be consistent with this policy.

There are a number of areas where The Grove at Shoal Creek is compatible with SCC's goals. However, there are three areas where SCC continues to have concerns: the location of the proposed pedestrian bridge, dedicated parkland, and stormwater

management. These concerns are described in the attached document entitled Application of SCC Goals to the Grove Development.

Thank you in advance for your consideration. Please feel free to contact me or SCC Board President Ted Siff (teds@shoalcreekconservancy.org or [512-657-5414](tel:512-657-5414) with any questions.

Sincerely,

Joanna

Joanna Wolaver
Executive Director
[Shoal Creek Conservancy](#)
Office: [512-474-2412](tel:512-474-2412)
Cell: [512-565-0812](tel:512-565-0812)
[Support the Conservancy Today](#)





Goals Statement
As applied to the proposed "Grove on Shoal Creek" *

Each public position or comment taken and/or made will be consistent with SCC's goals. SCC may raise concerns or objections to a project to ensure that the project is compatible with SCC's goals. Our positions and public statements regarding The Grove at Shoal Creek are and will continue to be consistent with this policy.

There are a number of areas where The Grove at Shoal Creek is compatible with SCC's goals. However, there are three areas where SCC continues to have concerns.

1. The location of the proposed pedestrian bridge

Stakeholders continue to debate the prospective location of the proposed pedestrian bridge over Shoal Creek. Some neighborhood representatives would like it located at the south end of the project. Other stakeholders have suggested that there are community benefits to having the bridge at the northern end of the project.

SCC believes that this pedestrian bridge:

- is a benefit being offered by the applicant that should be weighed against detrimental impacts (such as traffic) that will come with the development;
- it is a significant addition to the Shoal Creek Trail and to trail connectivity, both of which support SCC's goal to expand and enhance the trail.

We also note that the city is attempting to acquire a trail access easement on contiguous property that would make the bridge useable. Given these facts, SCC supports the city staff being responsible for reviewing topographic, access, and other constraints, and then selecting appropriate location for the bridge.

If, for whatever reason, the applicant withdraws their offer to donate the bridge, then SCC will revisit whether or not this project contributes to our trail-related goals, offsetting detrimental impacts created by this development.

2. Dedicated parkland, both the amount being set aside as parkland, and whether or not the park component of the project deserves a "superior" rating.

There continues to be a debate about whether the applicant's proposal provides enough parkland to merit a superior rating from the Austin Parks and Recreation Department (PARC). We are concerned that the superior rating in this case is overly contingent on total parkland acreage. We believe that the

applicant's offer to pay for park improvements as well as park operations and maintenance should be given more weight in determining park 'superiority."

SCC favors requiring that this application obtain a superior rating, and we respect PARD's role in granting such a rating. SCC supports and encourages PARD and the applicant to work together to achieve this goal.

3. Stormwater management

Stormwater management is a concern for virtually any new project in the Shoal Creek watershed. SCC's goal is for development within the watershed to cause no new increases in stormwater discharges into the creek. SCC supports the Watershed Protection Department (WPD) staff and the applicant negotiating the best way to ensure that no new stormwater will be discharged into Shoal Creek.

Sirwaitis, Sherri

From: Mike Seay [REDACTED]
Sent: Tuesday, September 13, 2016 11:17 AM
To: Sirwaitis, Sherri; Bates, Andrea
Subject: Flooding impact studies for the Grove Development

Greetings,

I am the President of Congregation Beth Israel, a reform synagogue located at 38th Street and Shoal Creek Boulevard. Our congregation consists of around 650 families. We were the first Jewish congregation in Austin--we've been here for over 140 years--and the temple has been at its current location since the 1950's. Directly across Shoal Creek Boulevard from the temple is Shoal Creek, right where it passes under 38th Street..

As you know, the Grove Development, planned by ARG Bull Creek, is planned to be directly upstream from our temple. I've seen conflicting information from both ARG Bull Creek and the neighborhood association regarding whether there will be an increased likelihood of flooding downstream due to the additional amount of impervious cover planned. We'd like to get our information from a less partisan and hopefully unbiased source--has the City done any flooding or runoff studies based on the current Grove Development plan? If so, would it be possible to share them with me? Or if one or both of you would have time to meet with me and one or two of my fellow board members to discuss, that would be much appreciated. We'd love to keep our congregants informed.

We recognize that development is inevitable in Austin, but we also recognize that this is not necessarily a negative thing, when development is done responsibly. We would like to do our best to ensure that responsible development occurs, and that all stakeholders work constructively work together to achieve this goal. Thanks for the service you provide to our city and community, and I look forward to hearing from you.

Best Regards,

Michael Seay
President
Congregation Beth Israel
512-653-2131

Sirwaitis, Sherri

From: John Eastman [REDACTED]
Sent: Tuesday, September 13, 2016 10:49 PM
To: Adler, Steve; Kitchen, Ann; Renteria, Sabino; Gallo, Sheri; Pool, Leslie; Zimmerman, Don; Troxclair, Ellen; Tovo, Kathie; Casar, Gregorio; Houston, Ora; Garza, Delia
Cc: Charlotte Cooper; Gene Kincaid; Kevin Lucas; Aditya Rustgi; Cherie Havard; Ryan Britton; thesonofgray; Sara Speights; Garrett Martin; Jeff Howard; Sirwaitis, Sherri
Subject: Ridgelea Neighborhood Association - updated position on The Grove
Attachments: RidgeleaNeighborhoodpositiononTheGrove09-13-2016.docx (1).pdf

Mayor and City Council

The Ridgelea Neighborhood Association (RNA) appreciates your continuing efforts to improve the proposed Grove PUD to make it a "superior" project that is consistent with the Imagine Austin comprehensive plan. As the neighborhood association that includes the Grove property we request that the PUD amendments outlined in the attached position paper be incorporated into any PUD approval. The members of the Ridgelea Executive Committee are available to meet at your convenience if that would be helpful.

Thanks for all your work on behalf of the citizens of Austin

John Eastman
Chair, Ridgelea Neighborhood Association
3906 Ridgelea Drive
(970) 846-2573
johnandliane@gmail.com

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

Sirwaitis, Sherri

Subject: FW: Oppose Grove PUD - Inadequate Community Benefit- Item 74. C814-2015-0074 - The Grove at Shoal Creek PUD
Attachments: Grove PUD Lacks Sufficient Community Benefits 9-21 Final.docx

From: On Behalf Of Todd Shaw

Sent: Wednesday, September 21, 2016 12:06 AM

To: Adler, Steve; Everhart, Amy; Tovo, Kathie; Harden, Joi; Houston, Ora; Hutchins, Christopher; Garza, Delia; Nicely, Katherine; Renteria, Sabino; Richardson, Ashley; Casar, Gregorio; Lawler, John; Kitchen, Ann; Tiemann, Donna; Zimmerman, Don; Pool, Leslie; Brinsmade, Louisa; Troxclair, Ellen; Gallo, Sheri; Smith, Taylor

Cc: Sirwaitis, Sherri; Soliz, Ricardo

Subject: Oppose Grove PUD - Inadequate Community Benefit- Item 74. C814-2015-0074 - The Grove at Shoal Creek PUD

Dear Mayor and Council Members,

A public hearing for Council to consider approval of ARG Bull Creek LTD's (ARG's) Grove at Shoal Creek Planned Unit Development (Grove PUD) is scheduled for September 22nd. I am writing you today along with my fellow neighbors with the Bull Creek Road Coalition (BCRC) to ask that you find ARG's Grove PUD **NOT** Superior as currently proposed. A PUD is the preferred option for the development of this site as it will provide for community benefits, while providing ARG increased opportunities for development and correspondingly, greater profits for its investors. As pointed by many of the neighbors that have been working closely with the developer and City Staff throughout the zoning process, ARG's Grove PUD is deficient in providing community benefits in several important areas; specifically, lack of compliance with key elements of Imagine Austin, unacceptable increases in traffic, insufficient quality parkland, inattention to localized neighborhood flooding, and inadequate tree protection. ***Attached is my report detailing the specific shortcomings with ARG's plans and provides recommendations for a truly superior development which closely aligns with BCRC proposed amendments to the PUD.*** Please strongly consider these improvements as conditions for approving the Grove PUD as it will result in increased housing within a mixed use development while maintaining City of Austin values for healthy, sustainable neighborhoods.

Thank you for your service to this community,

Todd Shaw

4709 Strass Dr.

Neighbor of the Grove

District 7

GROVE AT SHOAL CREEK PUD LACKS ADEQUATE COMMUNITY BENEFITS

ARG Bull Creek LTD's (ARG's) Grove at Shoal Creek Planned Unit Development (Grove PUD) is lacking sufficient community benefits to be considered superior. ARG's Grove PUD is deficient in providing community benefits in several important areas; specifically, lack of compliance with key elements of Imagine Austin, insufficient quality parkland, inattention to localized neighborhood flooding, unacceptable increases in traffic, and inadequate tree protection. The following are the shortcomings of ARG's most recent plans and recommendations for improvement.

Imagine Austin and Neighborhood Compatibility

As you are well aware, Imagine Austin (IA) is the comprehensive plan for Austin's future, describing the community's vision for the City to 2039. 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 densities. On p. 187 of IA, The priority goal of investing in a compact and connected Austin 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. The densities of the various activity centers are shown below.

- 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.

Comparing the site for The Grove at Shoal Creek (Grove) to the Growth Concept Map in Figure 1, the property is **not** located on an activity corridor and not identified as a regional, town and neighborhood center.

Figure 1 –View of Imagine Austin Growth Concept
Showing that Grove at Shoal Creek is not
on a Corridor or in an Activity Center.



On page 107, IA recognizes mixed use development will happen in other areas including infill on vacant lands such at the Grove, but emphasizes that the design of new development should be sensitive to and complement its context. 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.”

The Grove does **not** compliment the surrounding neighborhoods for the following reasons:

- ARG has still not incorporated the commitments they made to Oakmont Neighborhood Association in a meeting on 2/12/2016 shown in the table below, which provided for improved compatibility with homes across Bull Creek Rd. ARG’s latest Land Use Plan below does not show the 35 feet height limit and none of the commitments were added to the Design Guidelines. ***Council should require ARG to honor this agreement.***

Proposed Commitments to Oakmont Heights Neighborhood
The Grove at Shad Creek
February 12, 2016



Note: The Proposed Commitments below would apply to any building on Tract C that is within 75' of Bull Creek Road. Commitments can be made binding through addition to the PUD Land Use Plan and/or Design Guidelines as noted under "Enforcement".

Reply X

We inquired and confirmed they meant Tract D.

Proposed Commitments to Comply with SF-3		Enforcement	Notes
1	Live-work uses are prohibited.	This can be removed from the Permitted Uses listed on the Land Use Plan.	
2	Minimum building setback from Bull Creek Road ROW shall be 25'. Porches and patios shall be permitted to encroach into the setback up to 6'.	The Design Guidelines already require a 15' greenway zone and 10' additional building setback.	25' is the required building setback for SF-3 zoning.
3	Maximum building height shall be 35'.	This can be added to the Development Regulations listed on the Land Use Plan.	35' is the height limit for SF-3 zoning. Please note that this height restriction is based on the site development regulations for SF-3 zoning and does not include additional height restrictions under the McMansion Ordinance.
4	All buildings facing Bull Creek Road shall have a maximum of two attached residential units.	This can be added to the Development Regulations listed on the Land Use Plan.	Duplexes are permitted in SF-3 zoning. This would allow for duplexes at The Grove facing Oakmont, but would not permit buildings with 3 or more townhomes, row homes, flats, or other residential units.

Additional Proposed Commitments <small>These commitments are based on community requests and are not requirements of SF-3 zoning.</small>		Enforcement	Notes
5	Minimum setback from Bull Creek Road ROW for a third story shall be 35' if the height of the building exceeds 30'.	This can be added to the design guidelines.	This would ensure greater compatibility and reduce scale at the street by requiring a third story where provided, to be stepped back from the face of the building.
6	The minimum building setback from Bull Creek Road ROW shall be increased to 28' for a minimum of 50% of the total frontage.	This can be added to the design guidelines.	This would require additional setback for some units to ensure articulation and variation in massing along Bull Creek Road.
7	Garages are not permitted to face Bull Creek Road.	This can be added to the design guidelines.	
8	A minimum of 50% of the units along Bull Creek Road shall have a porch that faces the Bull Creek Road ROW.	This can be added to the design guidelines.	

SITE DEVELOPMENT REGULATIONS							
	TRACT A	TRACT B	TRACT C	TRACT D	TRACT E	TRACT F	TRACT G
Minimum Lot Size in s.f.	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Minimum Lot Width	30'	30'	30'	30'	30'	30'	30'
Maximum Height	40'	65' ⁽¹⁾	40' ⁽²⁾	40' ⁽²⁾	35'	40' ⁽²⁾	60'
Minimum Setbacks from Public Streets ⁽⁴⁾							
Front Yard	10'	0'	10'	0'	10'	0'	0'
Street Side Yard	10'	0'	10'	0'	10'	0'	0'
Minimum Interior Yard Setbacks							
Interior Side Yard	0'	0'	0'	0'	0'	0'	0'
Rear Yard	0'	0'	0'	0'	0'	0'	0'
Maximum Floor Area Ratio ⁽⁵⁾	0.75:1	1.5:1	0.75:1	1:1	0.75:1	1:1	1:1
Impervious Cover Maximum ⁽⁶⁾	55%	NA ⁽²⁾	NA ⁽²⁾	NA ⁽²⁾	55%	NA ⁽²⁾	NA ⁽²⁾
Building Coverage Maximum ⁽⁶⁾	45%	NA ⁽²⁾	NA ⁽²⁾	NA ⁽²⁾	45%	NA ⁽²⁾	NA ⁽²⁾
Maximum Residential Units	87	NA ⁽²⁾	NA ⁽²⁾	NA ⁽²⁾	77	NA ⁽²⁾	NA ⁽²⁾

residents.

(1) Up to 5% of Tract B is permitted to be up to 75' in height. This additional height is permitted only within the Height Setback Zone, as shown on the LUP Plan. Height on Tract B may not exceed 5-stories.

(2) Within 100 feet of Tract G, height may be increased to a maximum of 60' for an Affordable Housing development with the project's Affordable Housing Program. A minimum of 25% of the residential units in a building must be affordable under the project's Affordable Housing Program in order for that building to qualify for this height exception. Building height will be required to comply with City of Austin Compatibility Standards.

(3) Tracts B, C, D, F, and G do not have individual Impervious Cover, Building Coverage, or Unit Caps, but they are subject to the overall IC, Building Coverage, and Unit Cap as stated in notes 2 and 6, above.

(4) The minimum setback from Bull Creek Road is 15' for all tracts.

(5) Right-of-Way dedicated from a given tract shall still be included in the total site area to calculate Site Development Regulations including FAR, Impervious Cover, Building Coverage, and Dwelling Units.

The Grove at Shoal Creek Planned Unit Development Land Use Plan

Exhibit C

April 26, 2016

Sheet 2 of 2

2121 E. 8th Street, Ste 203
Austin, Texas 78702
P 512.803.7888
F 512.882.1188



- For three homes along Bull Creek closest to 45th, ARG's newest layouts for the property do not show the 240' setback from Bull Creek per Land Use Plan. The designs shows taller apartments within 60' of the right of way. ***Council members should verify that the developer will comply with SF-3 Zoning requirements across from these houses (35 feet height limit and minimum 25 feet setback).***
- Although developer has placed a Greenbelt along the back of the homes on 45th St., the homes will have 40' townhomes along their backyards. ***There should be a more gradual increase in height for structures similar to ARG commitment for homes along Bull Creek Rd.***
- The commercial and retail density of the Grove is incompatible with the neighboring community. Comparisons of densities and alternative transportation options for the Grove, the Triangle and Crestview Station clearly show the inappropriate scale of the Grove development for 2-lane residential street surrounded by single family homes. ***It is recommended that City Council reduce the commercial and retail density to reduce traffic on Bull Creek Rd. and through neighborhoods.***
- Even with the improvements that ARG proposes at the intersection of 45th and Bull Creek Rd., the grid lock during peak traffic times caused by the Grove will increase "cut-through" traffic on surrounding neighborhood streets.
- ARG Land Use Plan includes 15,000 of cocktail bars. ***This is not compatible for a development surrounded by single family homes and should be reduced.***
- The final traffic plan agreed to by the Grove and City Staff without any public input included the demolition of a home on 45th St. to provide for an additional street connection onto 45th St. The character of the homes adjacent to this significant thoroughfare will be altered. Furthermore, this exit will make it even more difficult for neighbors along 45th St. to exit their properties. ***Council should strongly consider requiring that ARG remove this exit/entrance from their plan.***

Parkland

Parks and Recreation Department (PARD) staff and neighborhood associations represented by the Bull Creek Road Coalition (BCRC) have met with the developer again and again to persuade them to

increase the quantity of quality parkland but ARG has been steadfast in their refusal to provide adequate parkland for the new residents and to address in part the parkland deficiency in the area. The following are the specific issues along with solutions to create superior parks at the site.

1. **The PUD no longer complies with the minimum parkland dedication requirements.** The new revelation discovered by neighbors during the Environmental Commission hearing was that an estimated 2.0 acres of credited parkland making up the riparian grow zone will be lost as the creek bank continues to rapidly erode. This rate of erosion was surprisingly overlooked by the developer and City Staff. Within 2-3 years, the Signature Park area will not be able to accommodate the amenities in the grow zone (trail, benches, etc.) which allowed it to count as parkland in the first place. The Parks and Recreation Department (PARC) stated that they would not have credited the grow zone as parkland if they would have known about the bank erosion. When this 2.0 acres of credited parkland is removed from the total committed by the developer, 12.88 acres shown in ARG's Park Plan Table below, the PUD is 0.47 acres short of the minimum acres required by the Land Development Code (11.35 acres). *Therefore, the developer should at a minimum, have to add 2.0 more acres of credited parkland just to fulfill their 12.88 acre commitment.*

Parkland Required	Un-It *	Persons/Unit	Acres of Parkland Required	
Residential		1335	1.7	
*Does not include 100 Affordable Housing units.				
Minimum Parkland and Open Space Compliance Table				
Park Space Provided	Approx. Size (Acres)	% Parkland Credit†	Credited Parkland Acres	Open Space Acres
Signature Park in 25 yr Floodplain (Publicly Dedicated)	3.20	0%	0.00	3.2
Signature Park in 100 yr Floodplain (Publicly Dedicated)	0.235	50%	0.1175	0.235
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	0.24	0%	0.00	0.24
Wet Pond Permanent Pool in Signature Park (Publicly Dedicated)	1.00	50%	0.50	1.00
Remainder of Signature Park (Publicly Dedicated)	7.39	100%	7.39	7.39
Neighborhood Park (Publicly Dedicated)	1.25	100%	1.25	1.25
45th Street Greenbelt (Publicly Dedicated)	0.87	100%	0.87	0.87
Greenbelt (Private/Public Easement)	1.00	50%	0.50	1.00
Flex Park Space (Publicly Dedicated or Private/Public Easement)	2.00	100%	2.00	2.00
Plaza	0.50	50%	0.25	0.00
TOTALS	18.63		12.88	18.12

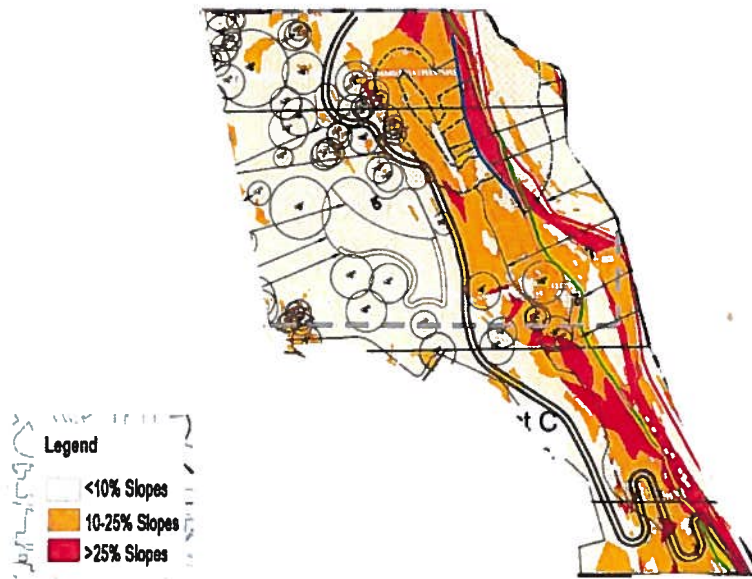
Note: The Signature Park will be a minimum of 13 acres in size (including floodplain, CEF, etc). All other park acreages are approximate. Total Credited Parkland for the project must be at least equal to the total shown in this table

2. **The PUD does not conform to minimum PARC Standards.** Ricardo Soliz, Parks and Recreation Department (PARC) Division Manager, reported that PARC determined that the Grove at Shoal Creek lacked superiority for the following reasons:

"The plan for the Signature Park submitted by Milestone lacks adequate street frontage, acreage and opportunities for active recreation. The CEF buffer reduction and mitigation further hampers park development. The visibility from the public right-of-way could be better."

As pointed out by PARC staff, ARG's Park Plan does not meet PARC standards for right of way frontage surrounding parks to ensure access and safety. The Jeff Howard, Attorney for the Developer, called these standards a matter of opinion. These are national best practices for park safety and visibility - not just opinions. *The acres of parkland should be expanded to the nearest right-of-way as recommended by PARC to ensure that there is adequate street frontage along these parks.*

3. **The PUD does have enough useable parkland for active play.** As recommended by PARD, additional parkland with slopes less than 10% and outside of the heritage trees and critical environmental features is required to provide for enough active play area needed to accommodate the population expected to use the park and that sensitive environmental areas are not harmed from over-use. The lack of active play areas is clearly demonstrated in the figure below from the ARG's Parks Plan.



4. Council should strongly consider requiring ARG to increase **credited** parkland by 5.0 -6.0 acres for a total of 18.0 - 19.0 **credited** acres, to provide for the superior quantity and quality of parkland requested by PARD and surrounding community. Below are suggested areas for expanding parkland.



5. ARG's proposed code modifications to LRC §25-1-602 requests that the LRC be replaced by "The Grove at Shoal Creek Parks Plan and Parkland Improvement Agreement" as an exhibit to their PUD Ordinance. It is BCRC's understanding that the City Law Department is reviewing these code modifications, but this review was not completed at the time of Zoning and Planning Commission hearings. There are several terms of this proposed Agreement of concern and need to be changed prior to approval of the Ordinance. The following are the highest priority terms to address before the PUD Ordinance is approved.

- a. ARG refers to the Design Guidelines for details on parkland improvements, but the Design Guidelines do not specify the location and types of the amenities. *The Agreement needs to show the location of and provide specifications for the amenities.*
- b. The proposed Agreement states, "Developer and its successors and assigns, including the Association, shall have the sole right, subject to the terms and conditions of this Agreement, to determine the programming within the City Parkland Areas, including without limitation recreational activities, events, entertainment, and vendors (the "City Park Programming")." Furthermore, Section X also gives the developer total control over the type of events and scheduling of events. Based on this condition, the developer has complete control over programming within City Parkland Area. *PARD and the Public should have joint control with ARG over activities at the Grove public parkland.*
- c. Sections IV.B. City Park Improvement Standards and VI, CONSTRUCTION PROJECT COSTS AND RESPONSIBILITIES –
 - i. *The \$750/resident price cap for improvements needs to be approved by PARD to assure it will cover cost of amenities.*
 - ii. *The Agreement should not include overhead amounts, such as legal fees, as it is difficult to assure that these are only related to parkland improvements.*
 - iii. *Cost of parkland improvements should not include the non-parkland maintenance, such as tree maintenance and watershed and flood control improvements.*
 - iv. *Developer states that parkland improvements will be solely constructed per their standards, which are not provided in detail within the Design Guidelines. Grove Parks should meet City Standards and include approval by PARD. Again, amenities and need to be located, identified and specified.*

Neighborhood Flooding

The Environmental Commission and the Ridgelea Neighborhood expressed concerns about the flood risk the development poses to homes along Idlewild that are already prone to flooding. *Council should strongly consider requiring ARG provide flood mitigation measures that will assure no increased flooding from the development and as a condition for superiority, install controls along*

their southern property line to actually reduce the flooding experienced by the adjacent homes. At a minimum, an easement should be required in the event space is needed for future flood mitigation.

Traffic Issues

Despite the latest response from Robert Spillar, Austin Traffic Department (ATD) Director, the fact is that the resulting traffic from this development will exceed what ATD rules allow for this type of roadway. The acceptance of the developer's traffic plan and improvements appears to be pay-off for allowing inappropriate development density. The correct solution is to both reduce the amount of commercial development and to require the improvements.

Several disturbing issues remain unresolved concerning ARG's analysis of the Grove PUD's traffic impacts. First of all, ARG's Traffic Impact Assessment (TIA) was based on State improvements to Mopac that are not even budgeted by the State. Furthermore, when Bull Creek Road Coalition hired an independent Traffic Engineer to reproduce ARG's TIA results, ARG refused to provide the raw data required to run the traffic model. In the ARG model, Cap Metro Bus 19 exists, but now Cap Metro is removing this route. Finally, ARG does not have any assurances that it will be able to secure the property needed for their road improvements.

The increased traffic from the development is the largest concern of the surrounding neighborhoods and there are so many remaining issues that have not been addressed. ***At a minimum, Council should strongly consider language within the PUD Ordinance that rescinds the zoning approval if ARG cannot actually fulfill its commitments for improvements to Bull Creek Rd and 45th St.***

Tree Protection

Looking closely at the requirements for PUD superiority and the Land Development Code requirements for Tree Protection, the Developer's tree protection plan is severely deficient. The developer is asking for credit for meeting the PUD Tier 2 Superiority Criteria related to trees protection which requires preservation of all heritage trees; preservation of 75% of the caliper inches associated with native protected size trees; and preservation of 75% of all of the native caliper inches. The table below demonstrates how the ARG's tree protection plan fails to meet the Tier 2 Table for superiority:

	Tier Two Criteria- Native Tree Caliper Inches Preserved (%)	Grove Native Tree Caliper Inches Preserved/Total	Grove Native Tree Caliper Inches Preserved (%)
Heritage Trees (>24")	100%	1894/2179	86% ^{Note 1}
Protected Trees (>19")	75%	512/994	52% ^{Note 1}
Total Native Trees (>8") ^{Note 2}	75%	2406/4748	51% ^{Note 1}

Note 1- Does not meet Tier 2 requirements.

Note 2- Assumes all trees > 8" will be removed as ARG has not committed to saving any trees > 8" and < 19".

The Land Development Code (LDC) 25-8-642 only allows for removal of Heritage Trees that are an imminent hazard to life or property, and the hazard cannot reasonably be mitigated without removing the tree; or is diseased and: restoration to sound condition is not practicable; or the disease may be

transmitted to other trees and endanger their health. The Grove at Shoal Creek Tree Survey and Disposition Plan will allow removal of trees that the code does permit. The eleven Heritage Oaks that the developer plans to remove do not meet the above code criteria for removal. Additionally, the developer's arborist did not use the Environmental Criteria Manual (ECM) Section 3.5.0 for evaluating the condition of the Heritage Trees. ECM uses 1 to designate "Poor" meeting the criteria for removal and a 2 for trees in "Fair" condition such as the eleven Heritage Oaks which developer wants to remove. The developer's arborist altered the classification system rating the Heritage Trees to be removed as "Poor" when they actually met the ECM definition of "Fair" and should not be removed. ***City Council should therefore not give credit to the ARG for Tier 2 Superiority as it relates to tree protection.***

Summary

The Grove at Shoal Creek PUD is not yet superior as the community is not receiving adequate level of benefits to justify the entitlements requested by ARG. Please consider my recommendations for inclusion in the Grove PUD Ordinance. The Grove PUD is going to set a precedent for future infill projects and if changes are not made by Council to address issues with neighborhood compatibility, traffic, flooding, parkland, and tree protection, the quality of life for future generations of Austinites significantly diminished.

Sirwaitis, Sherri

Subject: FW: Analysis of New Information - The Grove at Shoal Creek PUD C814-2015-0074 -
Attachments: Letter to Council- The Grove at Shoal Creek PUD.pdf

From: Michael Curry

Sent: Wednesday, September 21, 2016 2:24 PM

To: Adler, Steve; Tovo, Kathie; Houston, Ora; Garza, Delia; Renteria, Sabino; Pool, Leslie; Casar, Gregorio; Kitchen, Ann; Gallo, Sheri; Troxclair, Ellen; Zimmerman, Don

Cc: Sirwaitis, Sherri; Guernsey, Greg; Edwards, Sue; Linseisen, Andrew; Derr, Gordon; Bollich, Eric; Beaudet, Annick

Subject: Analysis of New Information - The Grove at Shoal Creek PUD C814-2015-0074 -

Dear Mayor, Mayor Pro Tem and Members of the City Council,

First, I want to thank Annick Beaudet, AICP and Eric Bollich P.E., PTOE for their assistance. On Monday, I received a response to my September 7, 2016 request for information regarding The Grove. I have appended a copy of Mr. Bollich's response to the end of this email. While the information in the response does not alleviate the traffic concerns raised in my August 8, 2016 letter to Council (attached) and, in fact, confirms my fears, I do appreciate and want to publicly acknowledge their professionalism in stepping up and responding to a citizen's request for information.

Here is what we now know and don't know:

1. It is now confirmed that an existing daily traffic count for Bull Creek Road was not collected as part of the traffic study for this application. So we don't know the existing daily volume of traffic at any point along Bull Creek Road. All that we have is an extrapolation/estimate from a daily traffic/peak count taken at a single location at the southern end of Bull Creek Road in 2011 and a peak hour count near Jackson Ave in 2014. Based on those, Staff estimates that the daily traffic volume in 2014 was approximately 4,369 vehicles. CAMPO reports an undated traffic count of over 7,000 trips per day on Bull Creek. (Letter, p. 2) In short, despite all of the traffic analysis trumpeted in this case, we don't even know the number of vehicles currently using Bull Creek Road today or at any relevant time.

2. Staff has not been complying with the Code and did not do so in this case. The Code requires a Neighborhood Traffic Analysis for Bull Creek Road as part of this application. (Letter, p. 3). In response to my question as to why a Neighborhood Traffic Analysis was not done, Staff admits that the "City of Austin does not typically perform a Neighborhood Traffic Analysis when a development requires a TIA..." A Neighborhood Traffic Analysis is not discretionary. Unlike a TIA, the director cannot waive the requirement to perform a Neighborhood Traffic Analysis. Staff's review of this application does not comply with the Code.

Staff's stated rationale for not performing a Neighborhood Traffic Analysis is that a TIA's scope is "much more comprehensive, allowing detailed analysis of worst-case conditions, which are typically the morning and evening peak hours at intersections." Again, the Code did not give Staff the right to rationalize away the community's right to a Neighborhood Traffic Analysis. Secondly, the TIA and the Neighborhood Traffic Analysis focus on different things. We know this because the Code describes them differently and outlines standards for a Neighborhood Traffic Analysis that it does not outline for a TIA. Another way we know this is because a Neighborhood Traffic Analysis was, in fact, performed for Jackson Ave as part of the TIA in this case. The third way we know this is because as explained by Staff in memorandum in this case, the TIA focuses on intersection delays and peak hour intersection levels of service. However, the Neighborhood Traffic

analysis focuses on the desirable operating levels for the roadways over a 24 hour period, analyzed not simply at the intersections at peak hours, but by the vehicle trips per day on the road, measured against the standards set by the Code. Whatever the intersection level of service, whatever the intersection delay, we all know that the *volume* of traffic on a street can adversely affect the safety and livability of a neighborhood. The Neighborhood Traffic Analysis is focused on the surrounding community not simply on the perceptions of the driver. That is why the existing and projected traffic on a roadway needs to be counted and judged by desirable operating level standards; based on that analysis the traffic will need to be mitigated, most beneficially, through reductions in the amount of traffic generated. Staff wants to jump to the conclusion that the traffic impact has been mitigated without conducting the Neighborhood Traffic Analysis necessary to determine the operational levels and the extent of mitigation needed. In fact, it uses its conclusion as a basis for not doing the analysis. If only I could have gotten away with that in school.

3. We now know that there is even less of a basis for the TIA's traffic distribution model than we thought. The TIA states that: "In general, the existing traffic distribution was used to distribute the site traffic." (TIA p. 11). Without daily volume traffic counts for Bull Creek Road, only an incomplete picture of the existing traffic distribution exists. This is the very definition of corner-cutting. That said, the greater flight of fancy is the assertion that the existing traffic distribution, serving a basically vacant 75 acre tract of land, reliably predicts the future traffic distribution generated by a massive new development crammed into that vacuum and introducing uses that do not exist there today, for users that do not travel to or from there today and on a scale that does not exist there today. Since the mitigation steps are tied to the assumed traffic distribution, to the extent the supposed traffic distribution is incorrect – and it will be incorrect - the mitigation is ineffectual. What we are left with are guesses based on assumptions and assumptions based on guesses. Under these circumstances the only prudent approach to mitigation is through traffic reduction. (Letter, p. 3).

4. We now know that the problems with this application cannot be shuffled off to the site-plan stage. It has made abundantly clear that this application is a high profile project, subject to intensive public scrutiny, and necessarily involving senior staff. Notwithstanding all that scrutiny, we have no traffic count on Bull Creek Road, no Neighborhood Traffic Analysis, and no plausible traffic distribution model to name just some of the unanswered traffic questions (see Letter for others). If the necessary analysis did not happen under these circumstances, it certainly will not happen at the site-plan stage which is purely administrative and for which there is no public involvement. If this PUD is not fixed now it will never be fixed.

Thank you for your consideration of these views and for your service to the citizens of Austin.

Sincerely,

Michael Curry

Michael Curry

Michael,

Thank you for sharing your concerns with us. Please allow me to respond to your two questions in Gordon Derr's absence.

1. What is the existing 24 hour daily volume traffic count on Bull Creek Road?

Traffic Impact Analysis (TIA) focuses on worst-case conditions, which are typically the morning and evening peak hours at intersections. Therefore, daily traffic counts have not been historically required in a TIA. The Austin

Transportation Department (ATD) collected a daily traffic volume of 4,045 vehicles on Bull Creek Road in 2011 near W 39th Street. The total volume of both peak hours equated to 22% of the daily volume.

Based on the 2014 peak-hour volumes near Jackson Avenue in the TIA, 961 total vehicles were counted during the morning and evening peaks. Using the 22% guideline, the 2014 daily volume would be approximately 4,369 vehicles.

2. A Neighborhood Traffic Analysis was performed for Jackson Ave. Why was a Neighborhood Traffic Analysis not performed for Bull Creek Road which adjoins three residential neighborhoods?

The City of Austin does not typically perform a Neighborhood Traffic Analysis (NTA) when a development requires a TIA by generating more than 2,000 daily trips. The reasoning is that a TIA scope is much more comprehensive, allowing detailed analysis of worst-case conditions as described above. ATD determined that the mitigation provided in the TIA adequately mitigates the projected impact of the development.

Please let us know if you have additional questions.

Eric

Eric Bollich, P.E., PTOE
Managing Engineer
Traffic Engineering Division
Austin Transportation Department
3701 Lake Austin Boulevard
Austin, TX 78703

From: Michael Curry <mcmediate@msn.com>
Sent: Wednesday, September 7, 2016 1:03 AM
To: Andrew.linseisen@austintexas.gov; Gordon.Derr@austintexas.gov
Cc: Sherri.sirwaitis@austintexas.gov; Greg.Guernsey@austintexas.gov; Sue.Edwards@austintexas.gov; Steve.Adler@austintexas.gov; Tovo, Kathie; Ora.Houston@austintexas.gov; Delia.Garza@austintexas.gov; Sabino.Renteria@austintexas.gov; Leslie.Pool@austintexas.gov; Gregorio.Casar@austintexas.gov; Ann.Kitchen@austintexas.gov; Sheri.Gallo@austintexas.gov; Ellen.Troxclair@austintexas.gov; Don.Zimmerman@austintexas.gov
Subject: C814-2015-0074 - The Grove at Shoal Creek PUD

Dear Messrs. Linseisen and Derr:

As reflected in my August 8, 2016 letter to the City Council (attached), I share the public's concern over the traffic impact of the proposed Grove at Shoal Creek PUD.

This email concerns the (1) absence of any discussion in the TIA directly addressing the operating level of Bull Creek Road and (2) the absence of a Neighborhood Traffic Analysis for Bull Creek Road. As you know, virtually all of the traffic that will be generated by 110 single family dwelling units, 600 apartments, 425 condominium/townhouse units, 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 enters and exits onto Bull Creek Road.

Information about the operating level of Bull Creek Road before and after the project is built is extremely important to the public and, I suspect, to the City Council. Additionally that information is mandated by Land Development Code § 25-6-114. Whatever the rationale, the failure to do a Neighborhood Traffic Analysis for Bull Creek Road gives the appearance to the public of corner-cutting. The public and the City Council have a

right to know the existing and projected traffic counts to better assess the impact and the proposed remedial measures.

I understand that you were both very involved with the traffic analysis for this project or supervise staff members who were. Accordingly, you should be in a good position to answer these questions the answers to which I could not find in the TIA:

1. What is the existing 24 hour daily volume traffic count on Bull Creek Road?

2. A Neighborhood Traffic Analysis was performed for Jackson Ave. Why was a Neighborhood Traffic Analysis not performed for Bull Creek Road which adjoins three residential neighborhoods?

Thank you for your prompt attention to this request and for your service on behalf of the citizens of Austin.

Sincerely,

Michael Curry

Michael Curry

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 [REDACTED]
Sent: Monday, September 26, 2016 10:54 AM
To: Guernsey, Greg; Rusthoven, Jerry
Cc: Catherine Jeanes [REDACTED]
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

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