

Late Backup

MOTION SHEET

I. Reinstate the mark rate apartment unit cap at 950.

Amend Part 5. D. as follows:

- D. The maximum number of market rate residential units within the Grove PUD shall not exceed 1,515 units. The maximum number of market rate multi-family rental apartment units shall not exceed 950 units. The maximum combined number of market rate residential units, including multi-family rental apartment units, and congregate living units with a kitchen shall not exceed 1,548 units.

II. Correct Idlewild setback.

Amend Part 7. E. 3. as follows:

3. No surface runoff from the 100-year frequency storm from areas outside of the 35-foot [50-foot] setback on Tract E, as shown on **Exhibit C**, shall be allowed to drain to the adjacent existing residential development.

III. Clarify traffic improvements

Amend Part 9. A. as follows:

- A. Transportation network improvements through street construction, traffic signals, pedestrian hybrid beacons, and pedestrian and bicycle facilities, as described in the most recent, approved Traffic Impact Analysis Memorandum on file in City File No. C814-2015-0074, shall be funded and constructed by the Landowner.

IV. Use of bridge fiscal

Amend Part 9. D. as follows:

- D. The Landowner shall post fiscal security for the construction of a bicycle and pedestrian bridge crossing Shoal Creek, as described in **Exhibit C**. If construction of the bridge has not commenced within 7 years of the effective date of this Ordinance, the fiscal shall be transferred to the City and shall be used for pedestrian and bike improvements within 0.5 mile of the Rosedale neighborhood boundaries.

V. Off-site Traffic Improvements

Amend Part 9 F. as follows:

- F. The Landowner shall comply with an off-site sidewalk and traffic calming program (Traffic Program).
1. Prior to approval of the first site development permit within the Grove PUD, the Landowner shall contribute a maximum amount of \$400,000 to a fund established by the City to implement the Traffic Program. The Traffic Program shall be [approved] reviewed jointly by the City, the Landowner, and the Bull Creek Road Coalition (BCRC), or successor organization, and approved by the City.

2. The Traffic Program may include~~[, but is not limited to,]~~ public sidewalks, ~~[and]~~ traffic calming measures, and other appropriate traffic improvements at locations within Allandale and Highland Park West Balcones Area north of the Grove PUD, Oakmont Heights west of the Grove PUD, Ridgelea and Bryker Woods south of the Grove PUD, and Rosedale east of the Grove PUD (collectively, the "BCRC Area") contingent on the feasibility and approval of Traffic Program improvements by the City, Landowner, and the respective Neighborhood Association(s). A tentative list of improvements requested by the BCRC to be considered for feasibility review in the Traffic Program improvements has been provided to City staff.
3. Approved Traffic Program improvements shall be constructed by Landowner at cost within the BCRC area at cost during build-out of the Grove PUD ~~[and off-site traffic improvements required in the TIA]~~. The Landowner's obligation to pay for such costs shall be limited to its \$400,000 maximum contribution. The City shall be responsible for securing and paying for all utility relocations, right-of-way and easement acquisitions, and permitting associated with the Traffic Program improvements.
4. The City may contribute an amount not to exceed \$900,000 to provide supplemental funding to implement the Traffic Program. Notwithstanding section F.1. above, any money contributed by the City to fund the Traffic Program shall be evaluated using the City's prioritization process for sidewalk and traffic calming projects.

VI. Transportation Demand Management

Amend Part 9 F. as follows:

- G. The Landowner shall comply with a Transportation Demand Management (TDM) program approved by the Director of the Austin Transportation Department (ATD) to reduce vehicular trips to and from the Grove PUD. The TDM program may implement both on-site and off-site demand measures. The TDM program will be applicable and enforceable against the Landowner. The deadline for submission of the TDM plan is prior to the approval of the first site development permit on the Grove PUD property.
 1. The TDM program shall establish on-site demand management measures and strategies to achieve a 22 percent reduction in the unadjusted daily trips approved for the project, a 26 percent reduction in the unadjusted AM peak hour trips approved for the project, and a 32 percent reduction in the unadjusted PM peak hour trips approved for the project.
 2. The trip rates for the site shall be monitored and reported to the Director of ATD on a quarterly basis, for a period of five (5) years once permitted development within the Grove PUD reaches 7,500 calculated unadjusted trips per day and a minimum of 10 percent of the total non-residential land uses have been permitted. Means and methodology for conducting traffic counts shall be submitted by the Landowner and approved by the Director of ATD.

3. If the owner or property owner's association fails to meet the trip reductions (calculated by multiplying the percentages provided in G.1. with the unadjusted trips in G.2.) in the TDM program for three consecutive quarters, the owner or property owner's association shall make a quarterly mitigation payment to the City each quarter until the development within the Grove PUD is in compliance with G.1. The mitigation payment shall not exceed \$18,750 per quarter, up to a maximum of \$75,000 total, and shall be used to offset the costs to implement additional on-site TDM measures at the direction of ATD. The City shall place the mitigation payments in a fund established by the City.

VII. Workers Protections

Add a new Part 12 to read as follows and renumber the remaining Parts accordingly:

Part 12. The Landowner and the Workers Defense Project have entered into an enforceable agreement regarding worker protections for construction of commercial only building and parking improvements at the Grove PUD. The City supports the agreement.