



45th & Bull Creek Road Improvements

Most of City staff's review focused on the intersection of 45th and Bull Creek Road. Although traffic going to and from The Grove will need to drive through other neighborhood streets to get to Mopac, Burnet, or other activity corridors, the 45th and Bull Creek Road intersection is viewed as the most critical component of the traffic network surrounding the future development.

The following concerns remain regarding The Grove PUD's impact to this intersection:

- As recently as March 9th, City staff stated they "still have some significant issues to work through." However, after the March 22nd meeting between the applicant and department managers, and without any new proposals for this intersection, these concerns were apparently ignored and the TIA was approved.
- The applicant has yet to show they have the right-of-way or easements required to complete the proposed improvements. City staff echoed this concern when they stated "if the concept cannot accommodate all the intended transportation facility, the City might be left with an approved PUD with no ROW to build the road to accommodate the development."
- Both neighbors and City staff have expressed concerns about the applicant's proposed 45th and Bull Creek Road improvements relating to feasibility and safety. City staff previously described the proposed intersection improvements as a "non-standard design" and expressed concern about the ability of a "single-unit" truck to safely traverse the dual left-turn lanes. How will large trucks and buses get to and from The Grove PUD if they cannot safely travel through the expanded 45th and Bull Creek Road intersection?

These are only a few of the many significant concerns the BCRC and residents around The Grove at Shoal Creek have regarding the traffic impacts of the proposed PUD. For the City, having an incomplete traffic and transportation review of this PUD could lead to decades of avoidable and expensive traffic problems surrounding this development. For neighbors, having an incomplete traffic and transportation review of this PUD will impact the safety of our families' daily commutes to and from our homes and neighborhoods.

We implore City staff and Council to complete and enforce a comprehensive traffic review of this unprecedented PUD proposal and hold the applicant to the highest standards of superiority for recommendation and approval. Please keep in mind that once granted, the proposed PUD entitlements will be irrevocable; it does not make sense to grant this privilege *prior* to reviewing the intersections for compliance with the City's standards. The leverage to ensure that this gets done correctly only exists before the zoning is approved.

The Grove PUD includes over 2,100 residential units, 225,000 square feet of office, and 158,000 square feet of retail totaling to 3 million square feet of development on this former State tract surrounded by single-family home neighborhoods and 2-lane residential streets. The BCRC strongly believes that this level of development with limited connectivity, inadequate park space, and insufficient flood controls is

Mayor, Council, Gonzales, Spillar
RE: The Grove PUD Traffic Impact Analysis
May 19, 2016
Page 4 of 4



not compliant with Imagine Austin and needs to be scaled appropriately by City staff and Council in order to gain a superiority ranking and ultimate approval.

Please visit bcrcATX.org or contact bcrc_communications@googlegroups.com for more information.

We appreciate your consideration on this important matter,

/s/Sara Speights, President
/s/Grayson Cox, Vice President
Bull Creek Road Coalition

cc: Marc Ott, City Manager
Sue Edwards, Assistant City Manager
Robert Goode, Assistant City Manager

PUBLIC HEARING INFORMATION

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

☐ I am in favor
☒ I object

Your Name (please print)

Frederick Zeiner th 78731

Your address(es) affected by this application

Signature

Date

Daytime Telephone:

Comments:

Surrounding Road's
 infrastructure cannot
 support the ARG MEGA development

ARG refuse to release
 Synchro file for
 traffic assessment

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Helen C Arnold

Your Name (please print)

2704 LaRonde

Your address(es) affected by this application

Helen

10/ may/16
Date

Signature

Daytime Telephone: 512-4991-8411

Comments: WHY DO YOU SEND THIS NOW?

YOU HAVE ALREADY APPROVED THIS

MONOTROPY!

YOU HAVE NOT THOUGHT / DON'T CARE

ABOUT THE TRAFFIC THIS WILL PRESENT.

AUSTIN HAS TURNED INTO A "GIRL"

FOR SALE TO THE HIGHEST BIDDER.

I HOPE THIS PROJECT FAILS AND

SHAME ON THOSE WHO SOLD THE PROPERTY TO

THE BOTTOM FEEDER.

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

David A. Coffman
Your Name (please print)

4209 Shoal Creek 78756

Your address(es) affected by this application

David A. Coffman 5-30-16
Signature Date

Daytime Telephone: 512-371-9632

Comments: I have trouble getting out of my driveway now between 5-6 PM due bumper to bumper traffic. The Grove will dump an additional 19 thousand cars a day onto surrounding streets never designed for that volume. Don't build the Grove here! They are destroying a beautiful inner city park & natural area for money

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Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission

June 16, 2016, City Council

Michael Wilson
Your Name (please print)

☒ I am in favor
☐ I object

444 Idlewild Rd 78731
Your address(es) affected by this application

Michael Wilson
Signature

1 Jun 2016
Date

Daytime Telephone: _____

Comments: _____

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

MARGARET D. MANLEY
Your Name (please print)

3820 RIDGELEA Dr. Unit A

Your address(es) affected by this application

Margaret D. Manley
Signature

Date

6.3.16

Daytime Telephone: 512-497-0377

Comments:

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Planning & Zoning Department
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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

Barbara Nichols

Your Name (please print)

4500 Erwin Lane 78756

Your address(es) affected by this application

Barbara Nichols

Signature

6/2/16

Date

Daytime Telephone: (512) 657 7428

Comments: There are many issues I have

concern w/ the said development.

Namely Increased & unmanaged traffic

congestion that will be created. ②

Too little open parkspace & the preservation

of the heritage oaks on said site. ③

Flooding & run-off issues likely to

be created/caused by development.

and overall negative impact to adjoining

neighborhood.

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

Michelle Byrom
Your Name (please print)

4509 Finley Dr 78731

Your address(es) affected by this application

Michelle Byrom
Signature

6/5/2016
Date

Daytime Telephone: 512 581 2142

Comments: My major concern is traffic

density behind affects the residents on

Finley Dr in both main ways. 1) access

to old homes is more difficult because

cars block the street entry on 45th.

(especially left turns) 2) not importantly

we have no sidewalks and speeding traffic

that is part of the overflow from 45th, short-

cut above Finley Dr. If we are walking or

walking the dog, we are constantly threatened

If you use this form to comment, it may be returned to: by this traffic

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: June 7, 2016, Zoning and Platting Commission
 June 16, 2016, City Council**

Bonnie Rudel
 Your Name (please print)
4601 Finley Dr.

☐ I am in favor
☐ I object

Your address(es) affected by this application

Bonnie A. Rudel

Signature

Date

June 13, 2016

Daytime Telephone: 512-921-7740

Comments:

See reverse back

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

Melissa A. Potts
Your Name (please print)

4601 Finley Dr
Your address(es) affected by this application

Melissa A. Potts
Signature

Daytime Telephone: (512) 300-4801

June 14, 2016
Date

☐ I am in favor
☒ I object

Comments: There is no need for this area to be commercial - that will only increase traffic and density. I believe to maintain the value of this neighborhood (Hlandale) the land in question should only be zoned for residential uses. I have lived in this area all my life and do not want to see it degraded. Please seriously consider this request.

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

DICK RATHGEBER

Your Name (please print)

39th & BULL CREEK RD

Your address(es) affected by this application

Dick Rathgeber

Signature

May 17, 2016

Date

Daytime Telephone: 512 917 9510

Comments:

They people really know what they are doing. They will definitely build a quality product.

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-9743057 Planning

Public Hearing: May 17, 2016, Zoning and Planning Commission

A. Gernaat

Your Name (please print)

4330 Bull Creek Rd #4113

Your address(es) affected by this application

A. Gernaat

Signature

5/10/16

Date

Daytime Telephone:

Comments: Austin needs denser development to help keep our housing crisis from spiraling out of control. Let's end up like San Francisco - a great city only the wealthiest can actually live in. This rezoning gives a unique opportunity to increase density in Central Austin and should be approved.

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

LOKI HANSEN

Your Name (please print)

2603 GREAT OAKS PKWY

Your address(es) affected by this application

Roni G. Hansen

Signature

Daytime Telephone: 512-454-8826

Date

5/13/16

☐ I am in favor
☒ I object

Comments: The new development they want to put up at 45th & Bull Creek will be horrible for our neighborhood. Our traffic will increase on 45th St. and its already terrible, our taxes will increase on our homeowners insurance and they are already sky high and it will be a terrible eye sore.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

DOUGLAS HANSEN
 Your Name (please print)

2603 GREAT OAKS PKWY

Your address(es) affected by this application

AUSTIN, TX 78756

Douglas Hansen

Signature

5-13-16

Date

Daytime Telephone: 512-589-8972

Comments: The construction of this

PUD will create horrendous
traffic issues in the Bull
Creek / School Creek / 45th St
neighborhoods. We are ready have
times where getting out of our
neighborhood is very difficult, and
this PUD will make it much
worse!!

If you use this form to comment, it may be returned to:

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 Planning & Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Nona Gold

Your Name (please print)

4507 Bull Creek Rd

Your address(es) affected by this application

Nona Gold

Signature

5-9-16

Date

Daytime Telephone: *512-343-1930*

Comments:

*City of Austin
Planning & Zoning
P.O. Box 1088
Austin, TX 78767*

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Ryan Rathbone
Your Name (please print)

☐ I am in favor
☒ I object

4510 Finley Drive
Your address(es) affected by this application

5/11/15
Date

Signature

Daytime Telephone: 512 534 1145

Comments:

I object to the large size of the requested development. Too much traffic already @ ball creek + 45th. + Finley + 45th. Dangerous intersection that won't be fixed as is with a turn lane. Not enough park space. too much office space. Worries about safety, flooding, traffic what the developer has proposed is ridiculous in terms of what that space can comfortably fit + fit it with surrounding neighborhood.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

having boards to a high standard scale version

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Daisy Wanda Garcia
 Your Name (please print)

4505 Finley Dr

Your address(es) affected by this application

Sherri Sirwaitis
 Signature

5-10-16
 Date

Daytime Telephone: 512 478 7612

Comments: I am against any develop
ment that will increase
the population density
and reduce important
ground cover

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

☐ I am in favor
☒ I object

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Your Name (please print)

Till Griffith

☐ I am in favor
☒ I object

3818-A R. Ageloa Dr

Your address(es) affected by this application

78731 5/10/16

Signature

[Signature]

Daytime Telephone:

512 576 9094

Comments:

Too much sensitivity!

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

KIM ZIPFEL

Your Name (please print)

4116 Idlewild Rd Austin TX 78734

Your address(es) affected by this application

K Zipfel

Signature

9 May 2016

Date

Daytime Telephone: 512-739-4566

Comments: As the PUD application stands, we are all for a mixed use development but we would like to see much less office space and density, particularly because of its impact on traffic. We are also very concerned about drainage. We support a well-designed superior development.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

ELC ZIPPEL
 Your Name (please print)

4116 Lattin Rd. #118 78731
 Your address (as affected by this application)

☐ I am in favor
☒ I object

9 May 2016
 Date

Signature

Daytime Telephone: 512-529-9728

Comments:

Pro development, just don't think
current design is superior.

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Michael Varnora
Your Name (please print)

4000 Ede Wild Rd 70731
Your address(es) affected by this application

[Signature]
Signature

5/10/16
Date

Daytime Telephone: 512 820 5203

Comments: I do not believe that the roads, schools and infrastructure in the area can support that type of development

case C814-2015-0074

Attn: Sherri Sirwaitis

If you use this form to comment, it may be returned to:

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Planning & Zoning Department
Sherri Sirwaitis
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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Patty Coffman
Your Name (please print)

4209 Shoal Creek
Your address(es) affected by this application

Patty Coffman
Signature

Date

6-9-16

Daytime Telephone: (512) 371-9632

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

David A. Coffman
 Your Name (please print)

4209 Shoal Creek Blvd

Your address(es) affected by this application

David A. Coffman 6-9-16
 Signature Date

Daytime Telephone: 512-371-9632

Comments: This development will

generate too much traffic.
 I cannot spit my driveway
 now with spillover from
 Metac between 5 & 6 PM. The
 "Troze" is a bad idea from
 the start. You can bet that
 the developer will not be
 living there.

If you use this form to comment, it may be returned to:

City of Austin
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 Sherri Sirwaitis
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

ELAINE R. PUSTING

Your Name (please print)

☐	I am in favor
☒	I object

2579 W. 45TH ST.

Your address(es) affected by this application

Elaine R. Pusting

Signature

9 MAY 2016

Date

Daytime Telephone: 512-454-9412

Comments: I OBJECT TO THIS ZONING REQUEST
DUE TO MY CONCERNS REGARDING THE
AFFECT TO MY PROPERTY'S VALUE, TO
THE SENSITIVE CREEK & WATERSHED
ENVIRONMENT, & TO MY PHYSICAL &
MENTAL WELL BEING DUE TO
CONSTRUCTION NOISE & INCONVENIENCE.
I AM ALSO CONCERNED ABOUT MY SAFETY
& PRIVACY DUE TO THE PROXIMITY OF
THE PROPOSED DEVELOPMENT TO MY

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

PROPERTY.

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: May 17, 2016, Zoning and Platting Commission

Barbara Nichols

Your Name (please print)

4500 Erin Lane 78756

Your address(es) affected by this application

Barbara Nichols

Signature

Date

5-9-16

Daytime Telephone: (512) 657 7428 (cell)

Comments: I am ~~opposed~~ to said development

@ 45th + Bull Creek. The density of this development is not in-line with the neighborhood, nor is the ~~road~~ road adequate to deal with the traffic-congestion that will be produced. The land, in my opinion, did not receive the "super-majority" vote from City Council + the zoning did not go through processing that allowed neighbors affected to give input. There are far better city-wide uses for this beautiful land.

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

ROBERTA N.A.
Your Name (please print) (CHRIS ALEN)

☐ I am in favor
☐ I object

1400 W. 39 1/2 ST.

Your address(es) affected by this application

11/24/2015
Date

Signature

Daytime Telephone: 512-467-2880

Comments: RNA OPPOSES THE CURRENT
MIXED-USE PROPOSAL, AND SUPPORTS
THE BORC'S EFFORTS TO NEGOTIATE
A BETTER OUTCOME FOR THIS UNIQUE
SITE.

THANK YOU!

CHRIS ALEN

CO-CHAIR, RNA ZONING COMM.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

EDWARD R. KATHGEBER

Your Name (please print)

BY BULL & BULL

Your address(es) affected by this application

SAME AS ABOVE (3 lots)

Signature

Date

Daytime Telephone: 512-917-9510

Comments: AN EXCELLENT PROJECT BEING DONE BY EXCELLENT PEOPLE.

☒ I am in favor
☐ I object

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Planning Commission

Lori Hansen

Your Name (please print)

2603 Great Oaks Pkwy - 78756

Your address(es) affected by this application

Lori Hansen

12/8/15

Signature

Date

Daytime Telephone: 512-589-8972

Comments:

This New Development will
cause Tremendous TRAFFIC Issues
on Shoal Creek and on 45th St. It
is UNSAFE ALREADY During Heavy traffic,
To Exit off of Great Oaks to go NORTH
on Shoal Creek. Also, Increased traffic
may cause people to "cut through" on
Great Oaks Pkwy between Shoal Creek
and 45th St (Both ways)!!

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City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

H. Arnold

2417 WOOLDRIDGE DRIVE
AUSTIN, TEXAS 78703

Planning & Zoning Department

Sherri Sirwaitis

PO Box 1088

Austin, TX 78767-8810

CASE: C814-2015-0074

Why do bother to send an announcement
for a public hearing.

You have already made up your mind
to go ahead with this awful
project.

Have you considered the traffic that
will be on 45th and Shoal Creek.

Multiply the number of homes by
3 for example. That will give you an
estimate of how many people and vehicles
extra that will be on the roads.

Austin has become so greedy that it
will sell anything to the highest bidder.

Helen G Arnold

I OBJECT

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

Valerie L. Wenger
Your Name (please print)

2604 W 45th St

Your address(es) affected by this application

Valerie Wenger
Signature

11/25/15
Date

Daytime Telephone: 512-916-5315

Comments: The proposed development contains too much commercial development for a residential neighborhood. The development is too dense for a residential neighborhood. The neighborhood can't handle the increased traffic.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

Mike Varozza

Your Name (please print)

4000 Idelwild Rd Austin TX

Your address(es) affected by this application

[Signature]

Signature

Daytime Telephone: 512 249 8004

Date

11/24/15

☐ I am in favor
☒ I object

Comments: I do not believe the infrastructure around the PUD is sufficient to handle the increase in residences. For example sewer, roads, schools, etc.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

Charlotte Cooper
Your Name (please print)

4003 Ridgely
Your address(es) affected by this application

Charlotte Cooper
Signature

11-28-15
Date

Daytime Telephone: 512 454 0663

Comments: Developer must work in

good faith with the adjacent

neighborhood - Not

other special interests

If you use this form to comment, it may be returned to:

City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

Cary Cooper
Your Name (please print)

4003 Ridgester
Your address(es) affected by this application

☐ I am in favor ☒ I object
--

[Signature] 11-28-15
Signature Date

Daytime Telephone: 512 4540663

Comments: Failure to work as good for all with adjacent neighbors

If you use this form to comment, it may be returned to:

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Sherri Sirwaitis
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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

Barbara Nichols

Your Name (please print)

4500 Erin Lane 78756

Your address(es) affected by this application

Barbara Nichols

Signature

11-23-15

Date

Daytime Telephone: (512) 6577428

Comments:

I feel the density particularly of businesses designated as
bars, is not conducive to
the adjacent neighborhood's safety.
I also feel the traffic
from this development is too great
for 45th and other roads to
manage. A lesser-dense project, or
park, would be a better fit for
maintaining our neighborhood's
integrity.

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City of Austin

Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: Dec 1, 2015, Zoning and Platting Commission

David & Patty Coffman
Your Name (please print)

4209 Shoal Creek Blvd
Your address(es) affected by this application

☐ I am in favor
☒ I object

David Coffman
Signature

Date

Daytime Telephone: (512) 371-9632

Comments:

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Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

Peter T. Flawn
4100 Jackson Avenue #463
Austin, Texas 78731

June 7, 2016

The Honorable Steve Adler
Mayor
City of Austin
P. O. Box 1088
Austin, TX 78767-8810

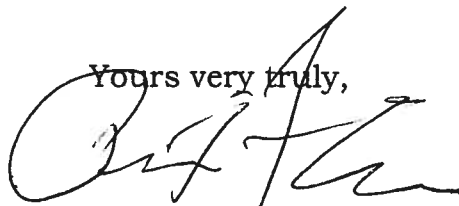
Dear Mayor Adler and Members of the City Council:

I have been a resident of the City of Austin since 1949 and rarely have been moved to write in support of an issue before the Council. However, I believe it is in the best interest of the City and its residents to approve The Grove at Shoal Creek Planned Unit Development, Case Number C814-2015-0074 and I ask that you include this letter as part of the official back-up file for this zoning case.

As a resident of Westminster Retirement Community it is very much in the interest of resident that The Grove at Shoal Creek be developed to provide access to amenities not now available to residents of Westminster who have restricted mobility and do not drive. I have followed the planning process closely and I believe that the plan that will come to the Council is fair and balanced.

Thanking you for your consideration, I am

Yours very truly,

A handwritten signature in black ink, appearing to read 'P. Flawn', written over the typed name.

Peter T. Flawn

PTF/hho

cc: Members of the Austin City Council
Ms. Sherri Sirwaitis, Planning & Zoning Department ✓

Sirwaitis, Sherri

From: Ryan Nill [REDACTED]
Sent: Monday, November 30, 2015 5:02 PM
To: Rojas, Gabriel - BC; Breithaupt, Dustin - BC; Denkler, Ann - BC; Evans, Bruce - BC; Flores, Yvette - BC; Goodman, Jackie - BC; Harris, Susan - BC; Kiobassa, Jolene - BC; Lavani, Sunil - BC; Weber, Thomas - BC
Cc: Sirwaitis, Sherri
Subject: In support of The Grove

Dear Commissioners,

I hope you support extending the Planned Unit Development (PUD) application deadline for the The Grove at Shoal Creek, located near 45th and Bull Creek. This site is an opportunity to develop high-quality affordable housing in a location with unprecedented opportunity and access to amenities.

The development group ARG Bull Creek plans to offer 180 affordable units. These units will be located in a high opportunity area where no affordable housing currently exists. Locating affordable housing in areas where all income levels are represented greatly increases social mobility. Residents have access to better jobs and amenities such as parks and transit that improve their quality of life. According to the landmark 1994 Moving to Opportunity study sponsored by HUD, social and academic outcomes of low-income children located in high-income neighborhoods are markedly better than those of similar-income children raised in areas of concentrated poverty.

The mixed use nature of this development offers many opportunities that I would like to see distributed across class lines. They include:

- A walkable, bikeable neighborhood near transit. Recent studies show that the average total cost of ownership of a car is \$9000 annually, which is beyond the means of many of Austin's residents.

- Access to a 17-acre park. Quality park space has been show to have a positive effect on physical and mental health.

- A forward-looking, mixed used development that takes to heart the "complete communities" envisioned in the Imagine Austin comprehensive plan.

While I am certainly appreciative of being able to attend and provide input at community meetings, residential design charrettes, transit charrettes, neighborhood meetings, and park block parties; all these meeting and events are not cheap. Obligating city staff; the developer; and the many neighborhood, park, transit, and housing advocates to go through this process again by not extending the application deadline will be a waste of time and community resources. Additionally, this will contribute to the ultimate costs of development, which will inevitably be passed on to residents. If we burden ARG Bull Creek with significant additional costs, it will eliminate the feasibility of providing affordable housing in this development. If we instead facilitate the creation of affordable units we can create a high-opportunity environment for 180 households whose options are otherwise very limited in our current climate of de facto economic segregation.

Sincerely,

Ryan Nill

Friends of the Grove

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

**Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council**

Your Name (please print)
Elizabeth Santos

Your address(es) affected by this application
3901 Ridgelea Dr.

Signature
E. Santos

Date

Daytime Telephone: **(512) 470 0483**

Comments:

☐ I am in favor
☒ I object

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 2, 2016, Zoning and Platting Commission
June 16, 2016, City Council

Tam Whately
Your Name (please print)

1916 W. 40th St., Austin, TX 78731

Your address(es) affected by this application

[Signature] 6-8-16
Signature Date

Daytime Telephone: 512-323-5051

Comments: A PUD is a special land-use privilege that the city should grant only if the applicant proves that it would result in a superior development. This applicant thus far has refused to meet that standard. But ZAP and Council could get there by requiring certain changes: reduce the commercial density (especially office) substantially to lessen the massive traffic increase; add more effective measures to mitigate the traffic impact on nearby neighborhood streets; increase the usable recreational open space in the "Signature Park" without threatening environmentally sensitive areas and heritage trees; increase affordable and "missing middle" housing beyond the bare minimum; improve overall compatibility with nearby existing residences.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

**CYNTHIA ANN LEACH
4200 JACKSON AVE., #4009
AUSTIN, TX 78731**

June, 7, 2016

City of Austin
Planning & Zoning Department
% Sherri Sirwaitis
P.O. Box 1088
Austin, TX 78767-8810

Subject: The Grove at Shoal Creek PUD, Case C814-2015-0074

Dear Sir,

I was born in Austin, Texas on October 13, 1948 at the original Brackenridge Hospital and delivered by Dr. Bud Dryden, a well-known physician and former city council member. I have lived in Austin all of my life and last September moved into Westminster Retirement Community at 4200 Jackson Ave.

My husband and I FULLY SUPPORT the planned Grove at Shoal Creek, and hope you will do the same. My husband is an architect and has studied the plans for this new development and we believe it will be a tremendous asset for the city and that the developer has gone above and beyond to make it a success for everyone.

We and about 25 other Westminster residents attended the Environmental Commission meeting last week and were extremely disappointed in that hearing. We were shocked at how the meeting was run and that the Chair would arbitrarily decide the opposition would speak first at the public hearing. The supporters of the Grove were finally allowed to speak after 11:30 p.m. that evening and as you can imagine, many of us had given up and gone home by then. It was evident to us that this was done intentionally to us, to drive us away, and it worked that night. Our hopes for future City of Austin commission hearings is that there will be a semblance of fairness in the process. That was my very first such attendance at a City of Austin hearing in my 67 years on earth and believe me, it was a real turn-off!

We at Westminster are excited about the restaurants, shops and possible doctors' office space planned for the Grove and look forward to being able to walk across the street to enjoy such amenities. We are also looking forward to the great trails, walking paths and benches, accessible to all and to be used by many.

Again, we urge you to support The Grove at Shoal Creek so that construction may begin on this wonderful development and hopefully it will be completed for everyone to enjoy while I am still on earth!

Please include this letter as part of the official backup for this zoning case.

Thank you.

Cynthia Ann Leach

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

SATV L. COFFMAN

Your Name (please print)

4209 SHOAL CREEK BLVD. AUSTIN, TX

Your address(es) affected by this application

78746

SATV L. COFFMAN

Signature

Date

6-8-

Daytime Telephone: 512-471-8610

Comments:

THE CITY STREETS - 45th ST, SHOAL CREEK BLVD, BULL CREEK & 38th ST. IN THE SURROUNDING ARE ALREADY BACKED UP WITH TRAFFIC. THE ADDITIONAL 19K CARS A DAY WILL GRIDLOCK THE STREETS. AS IT IS NOW, I HAVE TROUBLE GETTING IN AND OUT OF MY DRIVEWAY.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

Julia Oliphant Willhoite

Your Name (please print)

Austin

☐ I am in favor
☒ I object

4601 Chiappone Trail 78731

Your address(es) affected by this application

Julia Oliphant Willhoite 6-01-2016

Signature

Date

Daytime Telephone: *512-459-6245*

Comments: *I object to the plan.*

Increase of traffic.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department

Sherri Sirwaitis

P. O. Box 1088

Austin, TX 78767-8810

Sirwaitis, Sherri

From: Martha Frede [mailto:marthafrede@sbcglobal.net]
Sent: Monday, June 13, 2016 11:34 AM
To: Martha Frede
Cc: Martha Frede
Subject: The Grove at Shoal Creek Planned Unit Development, Case Number C814-2015-0074

Dear Mayor and Council and Planning and Zoning Department,

I first moved to Austin in 1938 and have seen it grow and change over the years. I graduated from Austin High School and the University of Texas and met and married my husband here. The first three of our 5 daughters were born here. We had to go and wander in the wilderness (mostly Houston) for 40 years before we got to come back to the "promised land". Both of us were of retirement age by that time, but I continued my practice of Clinical Psychology on a part time basis, and my husband worked as a fund raising consultant for the Blood and Tissue Center, the Children's Museum, Planned Parenthood and other worthy organizations. We were active members of St. David's Episcopal Church where he again helped with fund raising and I served on the Vestry. (Now I am a member of St. James' Episcopal Church, where Ora Houston is a mover and shaker!)

Now my husband is no longer with us but three of my daughters and sons-in-law and three grandchildren and their families live here. We all love Austin and appreciate its natural beauty, great food, cultural opportunities and its enlightened government.

I moved to the Westminster Retirement Community four and one-half years ago. I serve on the resident Board of Directors. I have followed the plans for developing the TxDOT land across the street with great interest. It would have been great if the city had purchased the Bull Creek property. That did not happen, and we are all fortunate that a company as responsible as Milestone did buy it.

They have had innumerable meetings with neighbors and have sought our input on all phases of the project. They have made changes based on our suggestions. As they have made revisions, they have kept us informed about their new plans.

It will be a great addition to the neighborhood to have a small grocery store and several restaurants nearby. I hope they will be able to get started soon, so that these enhancements will happen in my lifetime! (I will turn 90 in a few days.)

Thank you for your service to our community!

Martha Frede

Sirwaitis, Sherri

From: Ryder Jeanes [REDACTED]
Sent: Monday, June 20, 2016 8:41 AM
To: Sirwaitis, Sherri
Subject: FW: Legal issues concerning discrepancies on The Grove PUD - Item C-01
Attachments: Grove PUD discrepancies.pdf

Sherri,

Could I ask you to please add this letter/PDF attached as back-up to the Grove PUD case for this upcoming ZAP meeting? I think it is highly pertinent as no one really seems to be asking about these issues I've raised, and they have VERY big implications for our city going forward.

Thank you so much.

-Ryder

Ryder Jeanes
Senior Vice President | Austin

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



www.theretailconnection.net

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From: Ryder Jeanes
Sent: Sunday, June 19, 2016 6:18 PM
To: bc-Thomas.Weber@austintexas.gov; bc-Ann.Denkler@austintexas.gov; bc-Jolene.Kiolbassa@austintexas.gov; bc-gabriel.rojas@austintexas.gov; bc-ana.aguirre@austintexas.gov; bc-Dustin.Breithaupt@austintexas.gov; bc-Bruce.Evans@austintexas.gov; bc-Yvette.Flores@austintexas.gov; bc-betsy.greenberg@austintexas.gov; bc-Susan.Harris@austintexas.gov; bc-Sunil.Lavani@austintexas.gov
Cc: Catherine Jeanes (catcaroom@gmail.com)
Subject: FW: Legal issues concerning discrepancies on The Grove PUD - Item C-01

Dear Commissioners:

I have written many of you previously, spoken with you on the phone, or know you through the real estate business. There are major implications at stake because of the current structure of the Grove PUD and your commission is charged with thoroughly vetting and openly debating these things.

I hope you will take the time to read through the attached PDF and ask yourselves the same questions I find I'm asking myself... How can the Grove PUD possibly change land uses outside the scope of the site the PUD is being written for?

My family & I happen to live at 2629 W. 45th Street, next to this property, but first and foremost I am in the real estate business and intensely pro-development. That said, I am pro-development first & foremost assuming that it proceeds according to the rule of law and doesn't violate private property rights without due process... This Grove PUD as written has major flaws that I hope your commission takes the time to address before you can recommend it in good conscience.

I hope you will consider adding this attached PDF to your official Backup for Item C-01. My cell phone is (512) 623-9545 should you have any further questions for me with regard to the issues I've highlighted. I will be signing up to discuss some of these issues I've pointed out at the upcoming ZAP meeting on Tuesday.

Thank you for your time,

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

Ryder Jeanes
Senior Vice President | Austin

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



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From: Ryder Jeanes

Sent: Sunday, June 19, 2016 5:05 PM

To: steve.adler@austintexas.gov; sheri.gallo@austintexas.gov; leslie.pool@austintexas.gov; don.zimmerman@austintexas.gov; ellen.troxclair@austintexas.gov; ora.houston@austintexas.gov; sabino.renteria@austintexas.gov; delia.garza@austintexas.gov; ann.kitchen@austintexas.gov; Greg.Casar@austintexas.gov; kathie.tovo@austintexas.gov; Lloyd, Brent (brent.lloyd@atxad.org); 'anne.morgan@atxad.org'

Cc: 'marc.ott@austintexas.gov'; 'robert.goode@austintexas.gov'; 'sue.edwards@austintexas.gov'; rob.spillar@austintexas.gov; Rodney.Gonzales@austintexas.gov; Greg.Guernsey@austintexas.gov;

Jerry.Rusthoven@austintexas.gov; Sirwaitis, Sherri (Sherri.Sirwaitis@austintexas.gov); Catherine Jeanes

Subject: Legal issues concerning discrepancies on The Grove PUD

Dear Mayor, City Council, & Legal Department:

With the Grove PUD slated to go before Zoning & Platting Commission this Tuesday, time is of the essence to urge YOU ALL to seriously consider some major discrepancies contained within the PUD which show why it isn't yet ready to be considered as possible ordinance. These discrepancies will have serious consequences, not only as they relate to the Grove PUD, but to all future PUDs or other zoning cases that will follow.

Chief among these discrepancies is the fact that the Grove PUD is trying to impose legal changes on land use and code variances for a single family residence next to my own, located at 2627 W. 45th Street, which is outside the defined scope of the PUD. You can find more detail on this in the PDF attached (Grove PUD discrepancies).

I don't want to be writing this e-mail to you on Father's Day, but as a father, it is even more crucial that I set a good example to my own kids and show them how the democratic process works in our City. I hope you will take the time to read into all of these issues more completely. I hope that it will help change things for the better in our City and provide you all insight into some issues you may not be aware of. There are major implications at stake.

Thank you and Happy Father's Day to you all and your families.

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

Ryder Jeanes
Senior Vice President | Austin

512-485-0888 | main
512-485-0830 | fax
512-485-0792 | direct
221 W. 6th Street
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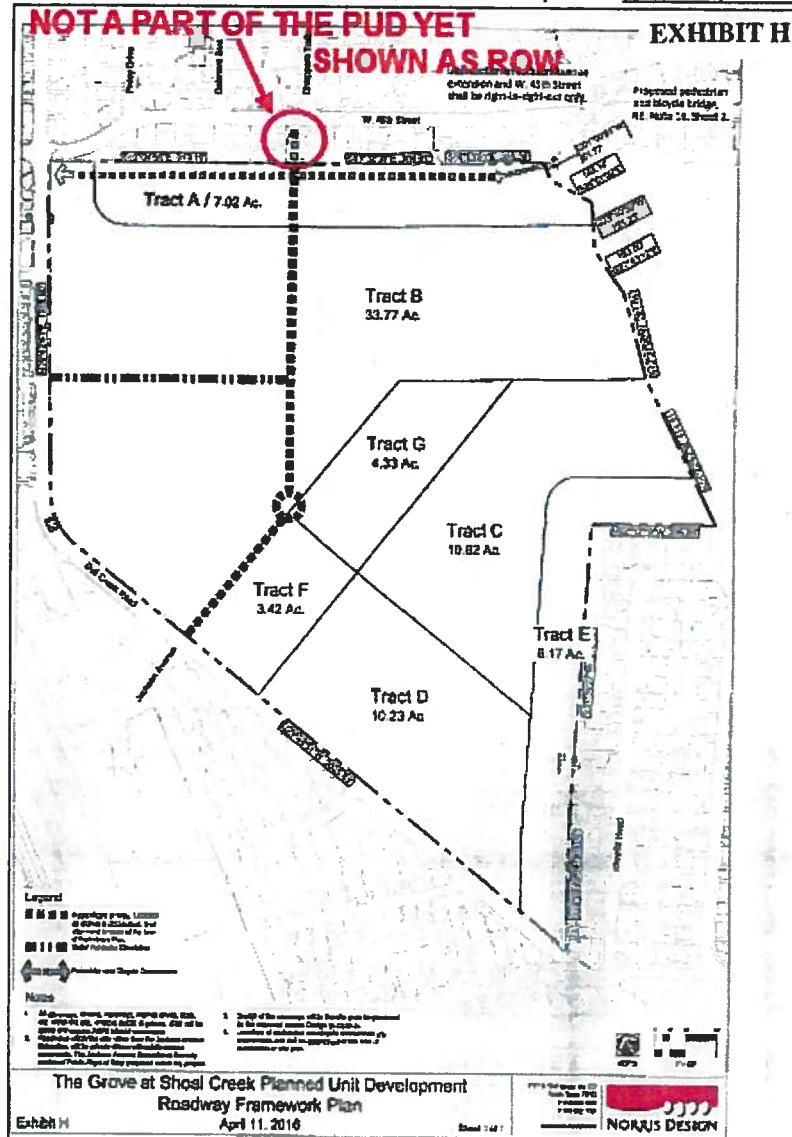
Grove PUD discrepancies:

1. The Grove PUD address is 4205 Bull Creek Road. The legally defined the scope of the PUD, as shown in Exhibit "A" of the Zoning Change Review Sheet, are those 75.74 acres of the "Subject Tract" only. Understanding this boundary, how then can certain variances the PUD is requesting through Proposed Code Modifications purport to change legal code for property located outside this Subject Tract, such as the 2627 W. 45th Street property?

For example:

- a. Chapter 25-10 (SIGN REGULATIONS), Section 25-01-1 (Applicability) – Adding a condition under this section to state, "(D) To the extent they are in conflict, the signage standards set forth in the project Design Guidelines for the Grove at Shoal Creek shall supersede this chapter."
 - i. Furthermore, the Design Guidelines in Section 5.5 "Signage" state signage as anything consisting of:
 1. Community Identity Signs – for each major entry to The Grove – two permanent identification signs not more than 128 square feet and height not exceeding 6 feet are permitted... i.e. read as two 10' wide by 6' tall signs
 2. Commercial Multi-tenant Signs - i.e. pylon signs – up to two multi-tenant signs are allowed for The Grove at Shoal Creek development. These signs are subject to a maximum of 250 square feet, and a maximum height of 20'.
 3. Because of how "signage" is defined, this means that these signs (either or both together in the same location) can be located anywhere (such as on 45th Street, right up on the road) specifically suggested as follows in b., c., and d.
- b. Chapter 25-10 (SIGN REGULATIONS), Section 25-10-103 (*Signs Prohibited in the Public Right-of-Way*) – To state that this section shall not apply to the public Right-of-Way dedicated for the Jackson Avenue extension within the boundaries of the PUD as identified on the Roadway Framework Plan.
- c. Chapter 25-10 (SIGN REGULATIONS), Section 25-10-191 (*Sign Setback Requirements*) – To state that this section shall not apply for setbacks from the public Right-of-Way dedicated for the Jackson Avenue extension within the boundaries of (the) PUD as identified on the Roadway Framework Plan.

d. The Grove at Shoal Creek Planned Unit Development Roadway Framework Plan:



- i. This Exhibit H – Roadway Framework Plan – shows Public Right of Way through the 2627 W. 45th Street property, clearly still a single family home (as it is deed restricted to be), and clearly NOT a part of the PUD application nor defined within the Subject Tract boundary the ordinance is being written for. If the 2627 W.45th Street property is not part of the PUD application, then how can legal law be written reflecting changes in its use?
- ii. In Section 2.5 of the Design Guidelines the “Planned Unit Development Land Use Plan” - which will be the one “as adopted in the City’s zoning ordinance” - defines the area subject to the PUD’s Land Use changes (as Public Right-of-Way dedications) as one that includes the 2627 W.45th Street property. How can land use changes be granted by a PUD for property contained outside of its legally defined boundary?

The Land Use Plan, shown here for reference, as adopted in the City's zoning ordinance, provides the land use regulations for the project and asserts the site development regulations for each tract, including height, FAR, setbacks, and impervious cover limitations for each parcel.

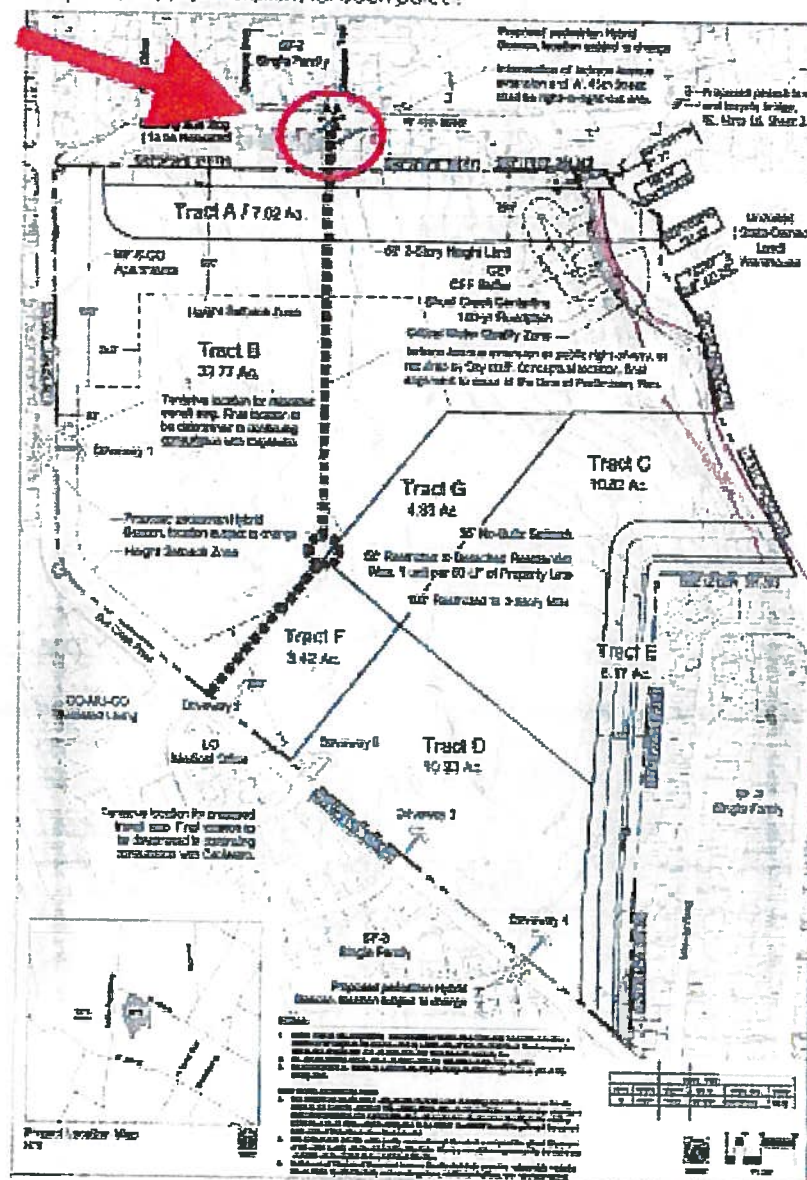


Figure 2.5: Planned Unit Development Long Use Plan

- iii. This same conflicted blurring of boundaries is also contained in the Design Guidelines in Section 3.3 "Master Framework Plan."

3.3 Master Framework Plan

The Master Framework Plan provides an overview of the possible layout of streets and other framework elements. Certain elements of the Master Framework Plan are considered Primary Framework Elements. The general location and orientation of these Primary Framework Elements should be followed only minor variations as appropriate to improve alignment or traffic performance and optimize building parcels. By contrast, final alignment and orientation of the Secondary Framework Elements is flexible and may vary from the Master Framework Plan so long as the final arrangement still creates a well-connected framework consistent with the intent of this section.

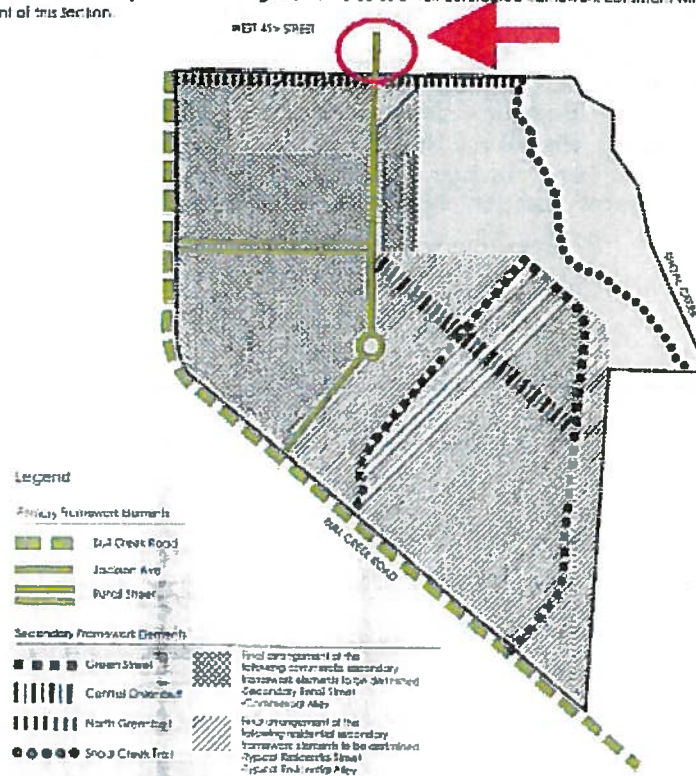


Figure 3.3 Master Framework Plan

- e. Transportation Criteria Manual, Section 1.3.2.B.2 (*Classification Design Criteria*) – To modify this provision to state that the extension of Jackson Avenue in the PUD as identified on the Roadway Framework Plan shall be considered a Neighborhood Collector and shall be designed per The Grove at Shoal Creek Design Guidelines. The cross section and any other design information contained in those design guidelines shall supersede any requirements of the Transportation Criteria Manual.
- i. Ordinance defines a Neighborhood Collector as:

Collector, Neighborhood.

A neighborhood collector street is characterized by serving several districts or subdivisions. Neighborhood collector streets provide limited access to abutting property and may provide on-street parking, except where bus routes can be expected. Typically multifamily developments, schools, local retail developments and public facilities are located adjacent to neighborhood collectors. Direct driveway access for detached houses should be discouraged (see Figure 1-28 in Appendix H of this manual for design criteria).

Figure 1-28 Design Criteria for Neighborhood Collector Streets

Typical ADT Range, from 2000 to 6000

Design Speed, 35 mph

General Length, 1-2 miles

Typical Spacing Between Intersections, 500'

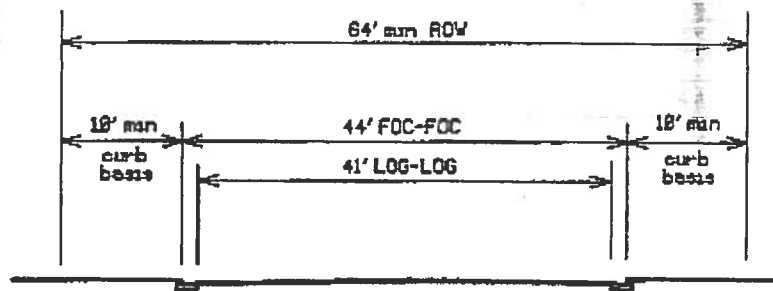
Typical Spacing Between Neighborhood Collectors, 1/2 mile

Minimum Centerline Radius, See Page 1-8

Minimum Tangent Length Between Horizontal Curves, 100'

Minimum Curb Basis, 10'

TYPICAL CROSS-SECTION



- ii. In the Grove at Shoal Creek Design Guidelines, Jackson Ave, is uniquely called out again, as being the only publicly dedicated street:

This Section provides a Master Framework Plan indicating the overall layout of streets and other circulation patterns on the site. Each street, alley, or trail indicated on the Master Framework Plan is keyed to a specific cross section defining its dimensions, characteristics, and features.

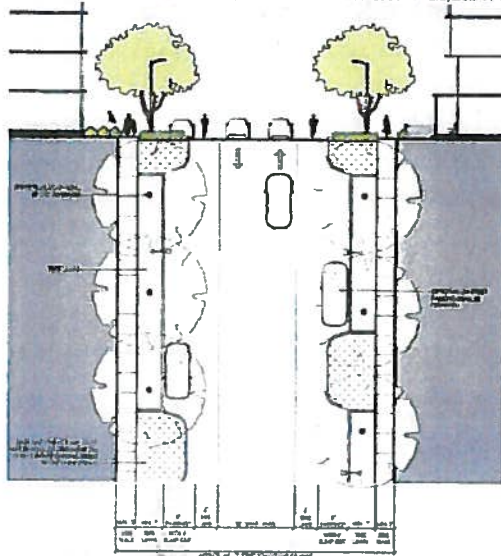
Jackson Avenue will be a publicly dedicated street within The Grove at Shoal Creek. All other streets in The Grove at Shoal Creek will be privately owned and maintained but permanently accessible to the public. This means there is no public right-of-way, except for Bull Creek Road and Jackson Avenue. Instead, this

- iii. The Design Guidelines State in Section 3.4.3 Jackson Avenue Extension that Jackson Ave is the site's primary collector road and the intent is to accommodate a larger volume of vehicular traffic than the site's other roadways:

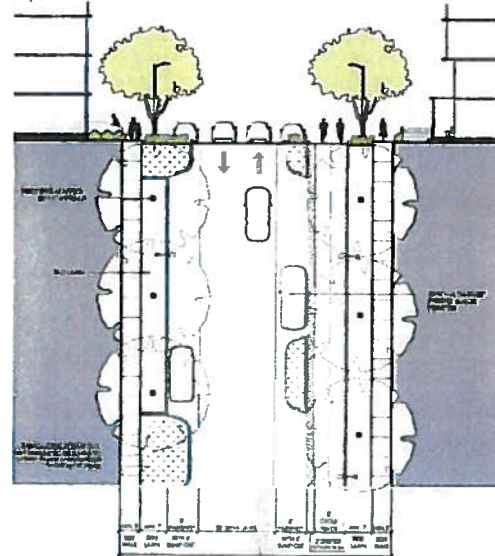
3.4.3 Jackson Avenue Extension

The Jackson Avenue Extension is the site's primary collector road. The intent is to accommodate a larger volume of vehicular traffic than the site's other roadways while still promoting a high quality pedestrian environment. Two potential sections are provided to allow for options with how this street deals with bicycles. A minimum of

62' of right of way shall be dedicated for Jackson Avenue. If the later Roadway Zone exceeds 62' of width, the applicant may choose to dedicate additional right of way or to dedicate public access easements for the remainder of the street zone. All roadway paving and bike lane / cycle track paving must be contained within the right-of-way.



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Figure 3.4.3.b: Jackson Avenue Extension

- iv. The Grove's own Design Guidelines further state that a minimum of 62' of right-of-way shall be dedicated for Jackson Avenue.
1. There are further conflicting issues in the notes of Figure 3.4.3.a: Jackson Avenue Extension where it states dedicated right-of-way shall be a minimum of 64'.
 2. In either event, the 2627 W. 45th lot the home currently sits on is platted at 60' & measures only 59.8' wide, certainly short of either minimum number.
- v. This begs other questions outside of, but related to, the legality and the supposition of attempting to assign legal code & land use changes to deed restricted property lying outside the boundaries of the PUD ordinance -- as proposed with 2627 W. 45th Street:
- a. Why is Jackson Ave the only publically dedicated street? Even the City Utility doesn't like this idea, albeit for other reasons. So, why is it specifically the case that this road must be Public Right-of-Way? What bearing does this have on private deed restrictions that enure to the other 43 property owners in the original sub-division that contains 2627 W. 45th Street?
 - b. Why is Jackson Ave being called out specifically as a Neighborhood Collector? Neighborhood Collectors have an ADT

of 2,000-6,000 cars per day. City Staff has given projected numbers in that same range. Shouldn't that trip count range automatically trigger code mandated study for that road in the TIA, not just for an assigned road, but a fully modeled one? A fully engineered and modeled road would seem even more critical when attempting to assign that right-of-way through a 60' wide single family lot bordered by a home 5 feet on either side of that lot. This is basic common sense, even outside from the questionable legality of the whole road idea.

- f. Transportation Criteria Manual, Section 1.3.2.F (*Classification Design Criteria*) – To state that the Jackson Avenue extension shall not be considered a Single Outlet Street upon the connection of any public access that is open to the public and connects Jackson Avenue to Bull Creek Road.

- i. Ordinance says this about Single Outlet Streets:

F. Single Outlet Streets.

Traffic issues pertaining to single outlet streets are partially mitigated by: (1) providing mid-block turnarounds (or cross-streets/loop streets), (2) increased pavement widths and (3) utilization of divided roadways, as noted in Table 1-6.

The criteria pertaining to single outlet streets are applicable to new developments whether the single outlet is temporary or permanent. When future extensions to the street system are anticipated, which will provide additional outlets, a temporary restriction may be placed on the amount of development allowed, until an additional outlet becomes available.

**TABLE 1-6
SINGLE OUTLET STREETS****

ADT	Street Width (FOC - FOC)
Less than 300	30'
300 - 1000	36'
1000 - 2500	40' Or 44'
2500 - 4000	2 @ 24' w/16' min. median width
Greater than 4000	TIA Required

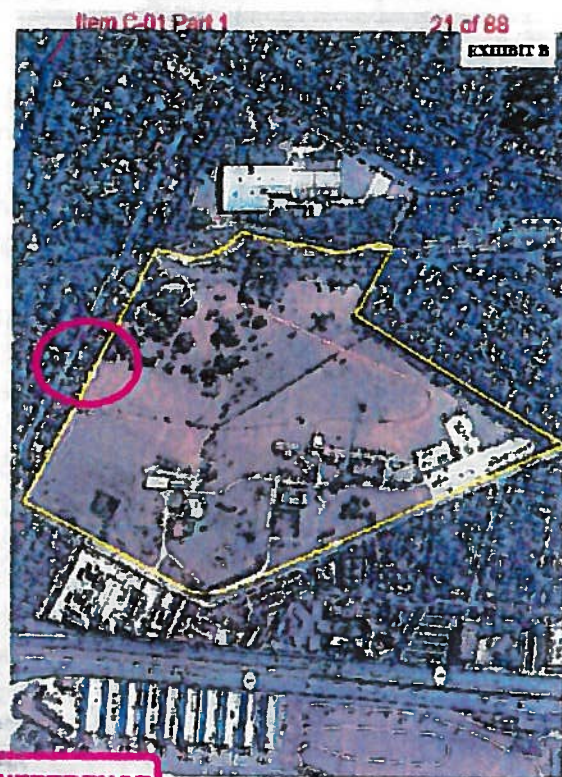
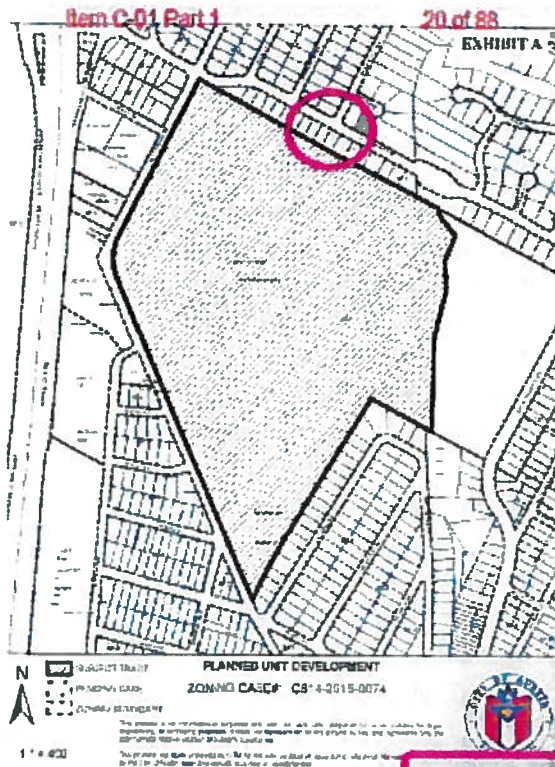
** If the distance from the SOP to the STP exceeds 2000', then the single outlet street must be designed with 2 @ 24' w/16' minimum median width.

Source: City of Austin, Department of Public Works and Transportation

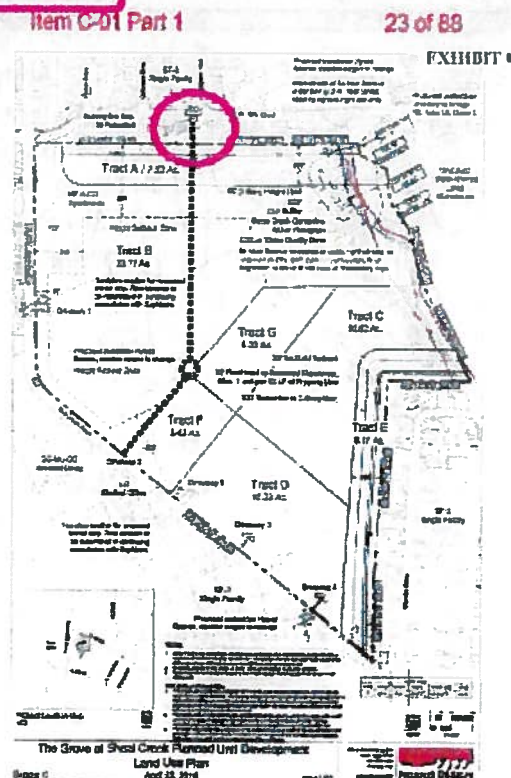
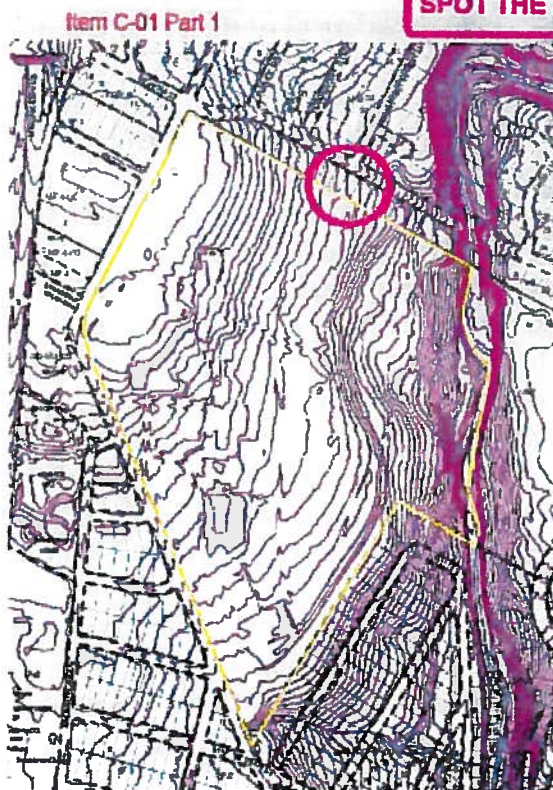
- ii. Is this variance being requested because the legality of the 2627 W. 45th Street property as roadway, or even being referenced as part of the ordinance itself, is being questioned? I can certainly see how the applicant is concerned this might place a temporary cap on development or trigger a TIA study of the Jackson Ave extension to begin with, but those would seem like things addressed by existing ordinance for very important reasons. What is the rationale behind asking for this variance?

1. It would seem, per ordinance, that a TIA is required if an ADT is over 4,000 trips. That number is a very realistic expectation for Jackson Avenue per City Staff comments. Where is the TIA for this?
 2. Is 2627 W. 45th Street home part of the Grove PUD ordinance or not? The 2627 home certainly seems to be suggested as part of the PUD - - - but only when it comes to project signage variances, roadway framework, right-of-way, project access, design variances, and Transportation ordinance variance requests. The rest of the time, it definitely isn't part of the PUD ordinance, especially when it comes to the main exhibits, like Exhibit "A" below in the top

left which shows the actual defined "Subject Tract" the PUD ordinance will reference when passed into law. How is law supposed to be written governing land outside the Subject Tract?:



SPOT THE DIFFERENCE



3. There are a host of issues implied with the Grove PUD having such ambiguous and gray territory when it comes to how it references project right-of-way and the 2627 W. 45th Street property. There are only two true legal solutions:

a. Legally attach the 2627 W. 45th Street property to the PUD ordinance and make it part of the Subject Tract the PUD ordinance governs. City staff has reiterated that the 2627 W. 45th Street property is not part of the PUD again and again. If the applicant desires the 2627 property to be part of the PUD and subject to the ordinance, then they should amend the PUD with that property included in the zoning change application. Would that change then create a default baseline zoning of SF-2 across the 75.74 (plus .15 acre) "Subject Tract" since the 2627 home would be joining it as part of the PUD ordinance?

- i. The 2627 home, zoned SF-2, would require that notification be sent of this proposed change from SF-2 to PUD zoning.
- ii. If the SF-2 zoned home were up for a re-zoning, then it would also comply with state property law, including the right of the surrounding property owners to have a valid petition recognized.

1. This is a property right which every property owner in Austin, TX enjoys when it comes to their individual private properties. The people surrounding any zoning change pay the same property taxes as everyone else, and as such they should be afforded the same property rights. Unfortunately, this is not the case with the property owners who currently surround the UNZ labeled Grove PUD "Subject Tract" site.

b. Remove all reference to the 2627 W. 45th Street property in the PUD completely. If the applicant truly desires to keep the 2627 W. 45th Street property separate and apart from the Grove PUD application, then it should remove all references to the proposed Jackson Avenue extension roadway and any stated or visual references to the 2627 property from the PUD. This is a given since the PUD ordinance cannot dictate land-use changes, code modifications, or violate private deed restrictions on a property located outside of the subject tract the PUD ordinance governs.

4. What is the City of Austin's role in this? If the City of Austin is truly requiring the PUD applicant to dedicate this 2627 W. 45th Street home as Public Right-of-Way, then the City should do so fully knowing what it will be accepting. If the City of Austin is requesting this right-of-way, then that ROW dedication, including the land, private deed restrictions, and other encumbrances it is subject to, should be fully attached to the PUD ordinance and legally defined in the PUD's scope. Knowing the City of Austin's role in this is extremely important as there is currently an open and unresolved private deed restriction lawsuit in place to enforce the private restrictive covenant on the 2627 W. 45th Street property (which 43 others in the sub-division are also subject to). ARG Bull Creek's response to this deed restriction suit was a blanket denial and went something like there was no road being planned at this time. Obviously, plans were certainly in the works and are still on-going.

a. Media has reported that the Jackson road as Public Right-of-Way was the developer's idea. Clearly the idea of the roadway through the 2627 home was generated by the developer far before the idea of dedicating 2627 as ROW was floated. What is important to know is why was the idea of this Jackson Avenue extension as public ROW

through a privately deed restricted property only floated after the deed restriction lawsuit was filed?

- b. Is the City of Austin ready to set the legal precedent of getting involved in removing private restrictive covenants on properties for the sake of an unrelated development?
Is the City of Austin ready to set the precedent that any developer of any site can buy adjacent property to that site and simply deed it over to the City of Austin if their access plans are hampered by important private restrictive covenants?
- i. When anyone purchases or sells a property, they do so fully understanding exactly what they are getting. What they are investing in is a basket of physical land, improvements, and rights. These include the dirt, the buildings, the ingress, & egress, land-use & zoning, and any restrictive covenants or rights as primary examples. These are rights I expected to be in place when I purchased my home.
 - 1. These cannot be separated from the property by force without a condemnation or negotiation. These are basic property rights, governed by law.
 - 2. The City of Austin should understand all unintended consequences the precedent the Grove PUD purports to set, beyond running over basic private property rights. These would include many future deed restriction suits and exposure of taxpayer dollars to fighting legal battles on any inverse condemnation suits similar circumstances may bring.

In conclusion, I hope you can clearly see all the major discrepancies and the clear issues these discrepancies can and will cause. There is far too much legal ambiguity surrounding this PUD at this point. I hope that these issues are clearly resolved and mitigated before this PUD proceeds into law. This isn't just a problem with the Grove PUD, this is a problem for all future land-use changes in our City.

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

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

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

The most important changes believed needed by the Ridgilea neighborhood are summarized below.

1. Traffic and safety

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

2. Drainage from the Grove property

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

3. Noise control

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

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

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

Respectfully yours,

The Ridgilea Neighborhood Association Executive Committee

Sirwaitis, Sherri

From: [REDACTED] on behalf of Todd Shaw [REDACTED]
Sent: Friday, June 17, 2016 1:45 AM
To: Sirwaitis, Sherri
Subject: Backup Material for June 21st Zoning and Platting Commission - Grove at Shoal Creek PUD Hearing

Ms. Sirwaitis,

A Zoning and Platting Commission Member ask me to forward this to you to include as backup for the Commissioners at the June 21st Meeting where the Commission will hear the Grove at Shoal Creek PUD application. I would greatly appreciate your assistance again in following through with this request.

Thank you very much!

Todd Shaw

+++++

My name is Todd Shaw and I live near the proposed Grove at Shoal Creek PUD. I ask your assistance in recommending that the Grove at Shoal Creek Developer, ARG Bull Creek LTC, return to the table and negotiate with its neighbors to create a shared vision for a great mixed use development for Central Austin. Garrett Martin, Grove at Shoal Creek CEO, made a statement at the Environmental Commission meeting last month that summed up what the neighbors knew all along. He said he did not approach this development as a negotiation. The neighborhoods around the development have met time and time again, but the developer has not made any concessions to address the community concerns especially as it relates to inappropriate density, unsafe traffic, inadequate quantity of quality parkland, the minimum level of affordable and "missing middle housing", local flooding, Heritage Tree protection, and stream bank erosion impacts on design and cost of proposed bridge. Please vote that the Grove at Shoal Creek is not yet superior to send a message to the developer that although it has been a year, they have need to finally sit down and listen to its neighbors. Below I make the case that the Grove at Shoal Creek does not yet comply with Imagine Austin. I did send this to Kathleen Fox, but never received a response.

Imagine Austin Background

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

- Regional Center - range in size between approximately 25,000-45,000 people and 5,000- 25,000 jobs.

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

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

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

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

The Grove at Shoal Creek Compared to Imagine Austin Plan

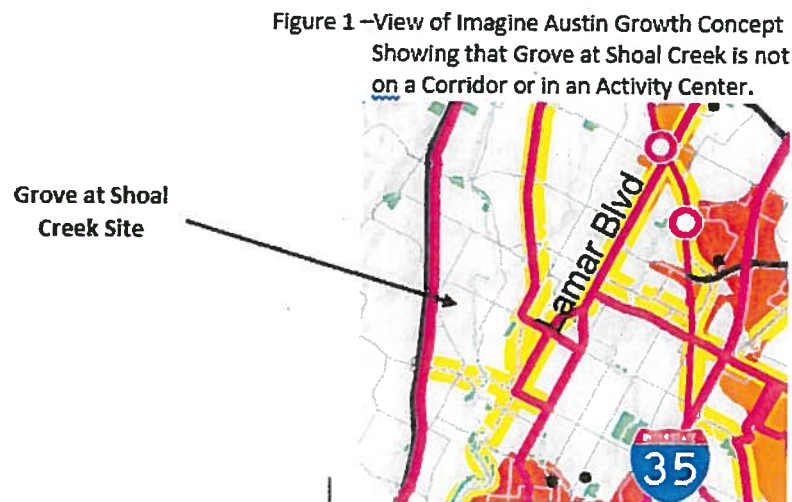
ARG's latest PUD development plans includes the following densities:

From most recent March 28th Land Use Plan

- 1515 dwelling units (includes affordable housing units, does not include congregate living)
- 300,000 SF Assisted Living (600 Congregate Living Beds)
- Multi-family residential units (exclude condo units) capped at 650 dwelling units. Congregate Living and first 250 affordable housing units do not count towards 650 unit cap.
- 225,000 SF Office
- 158,000 SF Retail (Includes 15,000 SF of liquor sale uses)

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. However, IA on page 107 recognizes mixed use development will happen in other areas including infill on vacant lands such as the Grove, but emphasizes that the design of new development should be sensitive to and complement its context. Kathleen Fox from the City's Comprehensive Planning Review Department evaluated the Grove at

Shoal Creek on Tuesday, July 21, 2015 stating that the development appeared to be supported by the IA Comprehensive Plan based on the development meeting several IA Policies.



However, Ms. Fox's evaluation did not assess the development in relationship to the surrounding neighborhoods. This 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 made to Oakmont NA the 2/12/2016 meeting which provided for improved compatibility with homes across Bull Creek by limiting heights and increasing setbacks. These are not reflected in Land Use Plan.
- For three homes along Bull Creek closest to 45th, the new layout for the property does not show the 240' setback from Bull Creek per Land Use Plan. The plan shows taller apartments within 60' of the right of way.
- 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. The densities are greater and alternative transportation options less for the Grove than the Triangle and Crestview Station. The development planned for the Grove is for 2-lane residential street surrounded by single family homes.
- 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.
- 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 altered. This exit will make it even more difficult for neighbors along 45th St. to exit their properties.

IA includes many other goals besides making Austin more “compact and connected.” IA includes the vision statement principle “Austin is Natural and Sustainable” as well as policies and best practices for the sustainable

design of future development. It should be noted that many of these practices are embodied in the Austin Energy Green Building (AEGB) Program, which rates development for their level of sustainable design. ARG's plans and design guidelines for the Grove fail to address several key IA principles and policy areas related to greenhouse gases, energy and water conservation, air pollution, and noise. Consequently, The Grove only meets the minimum AEGB 2-Star Level for PUD's.

- p. 85. IA Vision Principle "Austin is Natural and Sustainable – 1) "We conserve water, energy, soil and other valuable resources, 2) "Austin is a leader in reducing greenhouse gas emissions", and 3) "We use and inspire new technologies that create more sustainable communities, while reducing our dependence on environmentally costly practices."
- p. 120. Land Use and Transportation Priority Action 26 – "Reduce noise pollution from transportation, construction, and other sources."
- p. 138. Housing and Neighborhood Priority Action 8 - "Encourage green practices in housing construction and rehabilitation that support durable, healthy, and energy-efficient homes."
- p. 139. Best Practice: "THE WORLD'S GREENEST NEIGHBORHOOD": SUSTAINABLE DESIGN AT DOCKSIDE GREEN, VICTORIA, BRITISH COLUMBIA." Example demonstrates a 1.3 million square feet mixed use development project that embodies best practices in sustainable design.
- p. 152. Conservation and Environment Priority Action 9 – "Reduce the carbon footprint of the city and its residents by implementing Austin's Climate Protection Plan and developing strategies to adapt to the projected impacts of climate change."
- p. 152. Conservation and Environment Priority Action 10- "Improve the air quality and reduce greenhouse gas emissions resulting from motor vehicle use, traffic and congestion, industrial sources, and waste."
- p. 191. Priority Program – "Sustainably manage our water resources."
- p. 201. Priority Program - "Develop and maintain household affordability throughout Austin." "High utility bills can be addressed by how we use water, electricity and natural gas."
- p. 187. Invest in compact and connected Austin priority specifies that development should occur in activity corridors and centers identified on the Growth Concept Map so that the City can focus on directing its resources.

Conclusion

The Grove at Shoal Creek is not located on an activity corridor or center identified in the Imagine Austin Plan. Imagine Austin does recognize infill of undeveloped properties in the urban core as an essential part of meeting the plan's 20 year vision. However, when City leaders decide on the size and scope of these infill projects, the priority for "compact" development must be balanced with the context of the surrounding uses, especially neighborhoods, as well as ensuring that the development will be sustainable. Furthermore, infill

projects like the Grove PUD must be sensitive the capacity for the surrounding neighborhoods to handle the increased density. Specific to this case, ARG and City staff must make absolutely sure that the development will not create traffic gridlock or make flood prone areas nearby even worse. Although the Grove at Shoal Creek does include some elements contained within Imagine Austin, ARG's latest plan is still not compatible with the surrounding neighborhoods and has not adequately addressed greenhouse gases, energy and water conservation, air pollution, and noise. The Grove at Shoal Creek has the potential to be a truly model development, but to date, the developer's "No Compromise" position has not yielded a development meeting the standards of Imagine Austin.

Thank you so much for your service and support for Austin neighborhoods!

Todd Shaw

District 7

Neighbor of the Grove

(512) 567-3536

PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During its public hearing, the board or commission may postpone or continue an application's hearing to a later date, or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request, or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website:
www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice.

Case Number: C814-2015-0074

Contact: Sherri Sirwaitis, 512-974-3057

Public Hearing: June 7, 2016, Zoning and Platting Commission
June 16, 2016, City Council

JEFF & PIM MAYO

Your Name (please print)

2623 W 45TH ST. ATX 78731

Your address(es) affected by this application

Jeff Mayo

Signature

10 JUNE 2016

Date

Daytime Telephone: _____

Comments: SEE ATTACHED.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Sherri Sirwaitis
P. O. Box 1088
Austin, TX 78767-8810



Pim Mayo <pim.mayo@gmail.com>

Item C01 - The Grove at Shoal Creek PUD

1 message

Pim Mayo
Sun, Jun 19, 2016 at 11:26 PM
To: bc-thomas.weber@ausintexas.gov, bc-ann.denkier@ausintexas.gov, bc-jolene.kiolbassa@ausintexas.gov, bc-gabriel.rojas@ausintexas.gov, bc-ana.aguirre@ausintexas.gov, bc-dustin.breithaupt@ausintexas.gov, bc-bruce.evans@ausintexas.gov, bc-yvette.flores@ausintexas.gov, bc-betsy.greenberg@ausintexas.gov, bc-susan.harris@ausintexas.gov, bc-sunil.lavani@ausintexas.gov, Andrew.Rivera@ausintexas.gov
Cc: Jeff Mayo <jeffmayo@gmail.com>

Hello, Commissioners,

Thank you for taking the time to read this email. First, I would hope that you support Staff's request to postpone your review of the PUD so that when you review the PUD you have as much information as possible. The last time this agenda item came before you, Mr. Rustoven stated that part of Staff's traffic analysis is relative to the Jackson Avenue extension through what is currently a single family home at 2627 W. 45th Street. This issue is too important for you to consider without Staff's full assessment.

I echo the concerns of my neighbor, Ryder Jeanes. Is the soon-to-be "roadhouse" part of the PUD or is it not? If it isn't part of the PUD, why is on the Land Use Plan and why are variance requests related to the "roadhouse" part of ARG's PUD application? Is the "roadhouse" necessary for the development, or is it not? Garrett Martin stated in a Q&A that it isn't necessary, so why hasn't it been removed from the plans? No one has been able to give us clear answers to many of the questions surrounding the "roadhouse."

I am attaching two emails I recently wrote regarding The Grove that I hope you will read: (1) To the Parks Board, and (2) To D10 Environmental Commissioner Grayum. Finally, please see the **[petition regarding the Jackson Avenue extension through 2627 W. 45th St.](#)** It has been signed by over 1,000 people who are against the proposed road, with 90% of the signatures from Austin residents.

Please hear us out and do not approve this PUD with a road that will be built 60' from my home and carry 3,000 cars a day. We don't deserve that--no one who buys a home next to other homes deserves that.

Sincerely,

Pim S. Mayo

2 attachments

Email to Parks Board.pdf
130K

Email to Environmental Commissioner Grayum.pdf
156K



Pim Mayo [REDACTED]

Agenda Item D3: The Grove PUD

Pim Mayo [REDACTED]

Mon, May 23, 2016 at 10:57 AM

To: bc-Jane.Rivera@austintexas.gov, bc-Richard.DePalma@austintexas.gov, bc-Alison.Alter@austintexas.gov, bc-Michael.Casias@austintexas.gov, bc-Rick.Cofer@austintexas.gov, bc-Tom.Donovan@austintexas.gov, bc-Alesha.Larkins@austintexas.gov, bc-Francoise.Luca@austintexas.gov, bc-Birger.Schmitz@austintexas.gov, bc-Mark.Vane@austintexas.gov, bc-Pat.Wimberly@austintexas.gov

Dear Board Members,

My husband and I own the home located at 2623 W. 45th Street, adjacent to the proposed Grove PUD. We support the City staff recommendation that The Grove PUD parkland as currently proposed is **NOT superior**.

It is clear from documents provided throughout this process that only a very limited area of the Signature Park will be available for recreation. ARG's slope analysis has shown that **only 3.93 acres of the Signature Park have a slope of 10% or less**.

Additionally, residents of W. 45th negotiated with ARG to receive an alley way that will provide residents with greater safety long ago. This would allow W. 45th residents to park behind their homes instead of pulling in/out on W. 45th, which will increase in traffic substantially after The Grove PUD is built. The alley was included in the Grove PUD until December 2015 when The Grove announced "We're Adding a New Greenbelt and Increasing Public Park and Open Space!"

The "New Greenbelt!" comes at the cost of W. 45th Street residents in 3 ways:

1. We will no longer receive the alley that was long promised,
2. We will no longer receive a sidewalk on the south side of 45th street as promised in the original Grove Multi-Modal plan, and
3. We will have a multi-use trail that will service the entire development and surrounding neighborhoods within 25' of our property lines. In 2003, the [City of Portland](#) found that trails located within 200' feet of single-family homes reduced property value. (Portland study referenced on page 5).

I personally have made multiple attempts to meet with ARG representatives in the last months to discuss these issues, and they have not met with us.

Finally, as City staff also pointed out in a memo dated March 22, 2016, The Grove Plan includes 2 acres labeled as "Flex Park Space," but this park space does not have a location in the plan. My husband and I support **increased linear parks** that can be utilized for recreation as well as serve as space that will separate more intense uses from existing single-family SF2 uses.

Thank you for your consideration,

Pim Mayo, Esq. and Dr. Jeff Mayo
2623 W. 45th Street



Pim Mayo [REDACTED]

The Grove - Flipping Driveways

Pim Mayo [REDACTED]

Tue, Jun 14, 2016 at 10:43 AM

To: "Grayum, Richard - BC" [REDACTED]

Cc: jeff.r.mayo@gmail.com

Hi, Mr. Grayum,

My name is Pim Mayo. My husband, Jeff (who is CC'd on this email), and I own and reside at 2623 W. 45th St., adjacent to the proposed The Grove at Shoal Creek. You and I shared a brief exchange in the #atxurbanists Facebook forum recently, which led to my neighbor sending you the email below on June 4.

Thank you for your willingness to hear the concerns of D10 residents. My primary concern right now is the Jackson Avenue extension that is proposed to run through the SF2 lot currently known as 2627 W. 45th St. Despite my attempts, we have not been able to meet with ARG to discuss this change and others that directly affect the residents of 45th St., such as the removal of the alley behind 45th St. homes, which was part of the early plan and removed in December 2015, and the sidewalk on the south side of 45th St., which was in the original Multi-Modal plan and removed at some unknown date.

The road through 2627 W. 45th St. was proposed by ARG at their March 30 plan presentation. Since then, we have not received any detailed maps or plans showing the geometry of the road from ARG or looking through official City backup material. The right-in, right-out road design is not included in the Design Guidelines. It's my understanding the feasibility of the road has not been studied in any official way, such as a TIA.

We firmly believe that a road that ARG describes as a "primary collector road" in their design guidelines (Meeting backup 4 of 5, page 31) is completely inappropriate for a lot that is currently zoned SF2 and between two lots zoned SF2. ARG stated on March 30 that 3,000 cars will travel on the Jackson Avenue extension daily.

Many criticize neighbors concerned with noise stating that we should be accustomed to it considering we live on 45th St. However, moving traffic creates much less noise than traffic that is stopping and starting. I cannot imagine what our lives will be like having to hear 3,000 cars start and stop 60' feet away, 24 hours a day, 7 days a week. This will severely impair our ability to enjoy our home. Not to mention that the road being so close to our house will effectively end our ability access to travel west of our home, including our access to Mopac, which is how we get to work everyday.

Finally, what I find quite disturbing is that the City is allowing ARG to dedicate 2627 W. 45th to the City, so the City can turn the lot into a ROW. To me, this looks like collusion against the neighbors. The road is clearly part of the PUD. The road will be constructed solely for ingress and egress to the PUD, and yet, the City wants to say to us that this isn't part of the PUD so they can argue this isn't a rezoning—it's a dedication. Is this the precedent that Austin wants to set for development? "The scale of your development doesn't matter. The City will help you demolish homes to create road access to your development while depriving stakeholders of their petition rights."

Other concerns regarding this road are detailed by our neighbor, Ryder Jeanes, as seen in your Meeting backup 5 of 5, pages 1-5. I'm also attaching a map that Mr. Jeanes created. We live on the other side of the "Moore Home" seen on the map. I believe he obtained the text from the City, which he overlaid onto Google Maps.

Thank you very much for your time and your service. Please help us bring the important issues surrounding 2627 W. 45th St. to light.

Very truly,
Pim Mayo

Sirwaitis, Sherri

From: August Harris [REDACTED]
Sent: Monday, June 20, 2016 4:01 PM
To: Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew
Cc: Sirwaitis, Sherri; 'Sara Speights'; 'Michael Curry'; [REDACTED] Guernsey, Greg; 'Joyce Basciano'
Subject: C814-2015-0074 - The Grove at Shoal Creek PUD
Attachments: BWNA BCRC - ZAP letter.pdf
Importance: High

Chairman Weber and Commissioners:

Given a new TIA and a litany of unanswered or insufficiently answered questions of ARG/Milestone, a postponement as requested by staff from the Austin Transportation Department and Development Services Department to July 5th is reasonable. However, should you elect to proceed with a hearing on this case on June 21, which we believe to be imprudent, we strongly encourage you to oppose the project as submitted. It fails to meet the requirement for superiority for traffic relative to the new, or frankly previous, TIA and meets neither superiority for environmental or parkland requirements.

- In regard to planned unit development (PUD) district designation, § 25-2-144 (B) states that the purpose of a PUD district designation is to preserve the natural environment, encourage high quality development and innovative design, and ensure adequate public facilities and services for development within a PUD. As proposed by ARG/Milestone, it does NOT.
- Subsection (C) further requires that a PUD must be superior to the development that would occur under conventional zoning and subdivision regulations. As proposed by ARG/Milestone, it is NOT.
- Part of your charge is to facilitate the implementation of the Imagine Austin Plan. Imagine Austin establish three types of preferred nodes. Imagine Austin does NOT identify any of these nodes on or near the land now known as The Grove. It is NOT part of a Regional Center, Town Center, Neighborhood Center, Activity Center or Job Center within Imagine Austin.
- Within the framework of Imagine Austin, the site, at most, would be appropriate for a Neighborhood Center, given its location and the environmental sensitivity of the tract. ARG/Milestone is proposing what is tantamount to a Town Center which is NOT appropriate for this site.
- As proposed by ARG/Milestone, the scale of the project is incompatible with the surrounding neighborhoods and available infrastructure.
- Because of its location within the heart of several residential neighborhoods, The Grove has very limited access and is NOT proximate to any core transit corridors that would facilitate the movement of traffic.

This is a unique parcel of land that warrants great care. This is precisely why:

- The adjacent neighborhoods came together to form the inclusive Bull Creek Road Coalition;
- The Bull Creek Road Coalition engaged all residents in the surrounding neighborhoods and assembled thoughtful design principles that would give guidance to prospective developers to bring forward a truly superior project that would meet the needs of the immediate neighborhoods as well as the broader community while still enabling the developer to make a reasonable profit; and
- The Bull Creek Road Coalition has brought forward a number of amendments for your consideration that would move The Grove PUD from inferiority towards superiority that we ask that you consider favorably.

This is not a situation where neighborhoods have opposed development. In fact, our neighborhoods have joined to encourage the best possible development of a very unique tract of land in Central Austin. We view this as a once in a lifetime opportunity to create a development that is truly superior, that meets the tenets of Imagine Austin and that meets the needs of the surrounding neighborhoods as well as those who will live and work in The Grove in the years to

come. With your rejection of ARG/Milestone's PUD application before you and the support of the Bull Creek Road Coalition's amendments coupled with the expectation of the developer to set forth a truly superior PUD in all aspects, together we can Build a Better PUD.

We thank you on behalf of the community for your service and for your support of the Bull Creek Road Coalition and all of its constituents in this matter.

Sincerely,

August W. Harris III
President
Bryker Woods Neighborhood Association



THE BRYKERWOODS NEIGHBORHOOD ASSOCIATION

Board of Directors June 20, 2016

August W. Harris III
President

Chairman Thomas Weber
Zoning and Platting Commission
City of Austin
P.O. Box 1088 3300 N IH-35, Suite 300
Austin, TX 78767-1088

Annette Graves
Secretary

Bill Woods
Treasurer

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

Celeste Hubert
Newsletter Editor

Chairman Weber and Commissioners:

Joyce Basciano
BoA, RDCC

Given a new TIA and a litany of unanswered or insufficiently answered questions of ARG/Milestone, a postponement as requested by staff from the Austin Transportation Department and Development Services Department to July 5th is reasonable. However, should you elect to proceed with a hearing on this case on June 21, which we believe to be imprudent, we strongly encourage you to oppose the project as submitted. It fails to meet the requirement for superiority for traffic relative to the new, or frankly previous, TIA and meets neither superiority for environmental or parkland requirements.

At Large
Sean Carnegie
Wendy Carnegie
Michael Curry
Jeff Ersig
Tim Jarvis
Irene Pickhardt
Casey Roy
Hal TenBrink
Greg Underwood

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We thank you on behalf of the community for your service and for your support of the Bull Creek Road Coalition and all of its constituents in this matter.

Sincerely,

August W. Harris III
President
Bryker Woods Neighborhood Association

cc: Sherri Sirvaitis
Greg Guernsey

To: Mayor and Council

From: Ms. Mary C. Bohls, 4100 Jackson Ave., Apt. 228, Austin, Texas, 78731

Subject: The Grove at Shoal Creek Planned Unit Development, Case Number C814-2015-0074

If you will include my letter as part of the official backup for this zoning case, I shall be ever so grateful. I was born in Austin, Texas, my three children were born in Austin, Texas, my five grandchildren were born in Austin, Texas, so you may be sure that I have a very vested interest in the health of Austin, Texas.

This land, mainly on Bull Creek Road, has been carefully planned for development by the Grove owners. My church tried to buy this land some years ago, so I have a vested interest in it, too. The proposed plan is quite superior as the best use of the land, and it will be to the best interest of the city to look with fast favor for furthering its approval .

Thank you.

Sincerely,

Mary C. Bohls

Sirwaitis, Sherri

From: Pim Mayo [REDACTED]
Sent: Tuesday, June 21, 2016 12:16 AM
To: Sirwaitis, Sherri
Cc: Jeff Mayo; Weber, Thomas - BC; Denkler, Ann - BC; Kiolbassa, Jolene - BC; Rojas, Gabriel - BC; Aguirre, Ana - BC; Breithaupt, Dustin - BC; Evans, Bruce - BC; Flores, Yvette - BC; Greenberg, Betsy - BC; Harris, Susan - BC; Lavani, Sunil - BC; Rivera, Andrew
Subject: Re: The Grove - Comments - Case No. C814-2015-0074
Attachments: Roadhouse Petition Signatures.pdf; Roadhouse Petition Signatures by City.pdf; Roadhouse Petition Comments.pdf

Dear Ms. Sirwaitis,

Please add the petition regarding the 2627 W 45th St. property to my comments for the June 21, 2016 ZAP meeting regarding The Grove at Shoal Creek. These materials show that 948 Austin residents signed a petition against 2627 W. 45th Street becoming a roadway for The Grove.

These attachments include:

- (1) the Petition with signatures,
- (2) signatures sorted by City, and
- (3) Petition comments.

Thank you,
Pim Mayo

On Sun, Jun 19, 2016 at 11:33 PM, Pim Mayo <pim.mayo@gmail.com> wrote:
Ms. Sirwaitis,

Attached, please find my official comment form and emails that I would like attached to my comment form regarding the above referenced zoning case.

Thank you,
Pim Mayo
2623 W. 45th Street