

**Sirwaitis, Sherri**

---

**Subject:** FW: Response to ARG's False Claims about CM Pool's Amendments to The Grove PUD  
**Attachments:** True Trips Table.pdf

---

**From:** Guernsey, Greg  
**Sent:** Tuesday, October 18, 2016 7:56 AM  
**To:** Sirwaitis, Sherri  
**Subject:** FW: Response to ARG's False Claims about CM Pool's Amendments to The Grove PUD

FYI

**From:** Grayson M Cox  
**Sent:** Monday, October 17, 2016 9:32 PM  
**To:** Adler, Steve; Gallo, Sheri; Pool, Leslie; Kitchen, Ann; Garza, Delia; Zimmerman, Don; Troxclair, Ellen; Casar, Gregorio; Tovo, Kathie; Houston, Ora; Renteria, Sabino  
**Cc:** Cortez, John Michael; Varghese, Lesley; Everhart, Amy; Brinsmade, Louisa; Smith, Taylor; Hutchins, Christopher; Nicely, Katherine; Richardson, Ashley; Lawler, John; Tiemann, Donna; Harden, Joi; Searle, Michael; Petronis, Joe; Guernsey, Greg; Rusthoven, Jerry; Linseisen, Andrew; Bollich, Eric; Sara Speights  
**Subject:** Response to ARG's False Claims about CM Pool's Amendments to The Grove PUD

Mayor and Council,

Today, ARG's attorney, Jeff Howard, distributed a letter that threatened to drop The Grove PUD if Council approved Council Member Pool's amendments to the PUD. This letter is filled with fear-mongering claims that have been debunked many times before, and it is incredibly unfortunate to see Jeff Howard and Garrett Martin continue their intransigence to mitigating the negative impacts of the PUD and increase community benefits to achieve true superiority that Austin and its residents deserve. Please consider these facts when reviewing Jeff Howard's letter:

ARG's argument against Pool's Amendments to The Grove PUD boil down to two false points:

- (1) A lower traffic cap of 18,000 unadjusted trips will require a reduction in residential units even with reduced commercial entitlements.
- (2) The retail and office entitlements are "consistent" with commercial already in the area.

Both of these claims are false. In order to claim that an 18,000 trip cap will require reduced residential even with reduced commercial entitlements, Jeff Howard attached a trip generation table that intentionally and misleadingly magnifies *the most traffic generating retail uses*. In other words, meeting the 18,000 trip cap with Pool's amendments will not require a reduction in residential units. See the table below and also attached as a PDF.

This table shows in red what ARG wants you to approve - nearly 24,000 unadjusted trips. The green columns show how 100% of the residential units are retained and still fall below the 18,000 trip cap with the 115,000 SF of office and 100,000 SF of retail in Pool's amendments and as recommended by the BCRC.

THE GROVE PUD LAND USES	TRIP FIGURES FROM DEVELOPER'S TRAFFIC IMPACT ANALYSIS		REVISED TRIP FIGURES MEETING POOL'S AMENDMENTS		
	ORIGINAL TIA AMOUNT	24HR TRIPS	BCRC AMENDED AMOUNT	24HR TRIPS	
SINGLE FAMILY	110 DU	1,146	110 DU	1,146	← 100% of original residential units
APARTMENT	600 DU	3,760	600 DU	3,760	← 100% of original residential units
RESIDENTIAL CONDO	425 DU	2,265	425 DU	2,265	← 100% of original residential units
CONGREGATE CARE	600 DU	1,212	300 DU	606	
FITNESS CLUB	7,500 SF	247	7,500 SF	247	
OFFICE	200,000 SF	2,223	105,000 SF	1,362	
MEDICAL OFFICE	25,000 SF	807	10,000 SF	194	
SPECIALTY RETAIL	55,000 SF	2,438	39,200 SF	1,738	
SUPERMARKET	35,000 SF	3,578	22,000 SF	2,249	← 50% LARGER than Trader Joe's and all other neighborhood-scale grocery stores
PHARMACY W/O DT	8,500 SF	766	5,780 SF	521	
WALK-IN BANK	3,000 SF	364	2,070 SF	251	
DRINKING PLACE	8,000 SF	907	5,440 SF	617	
QUALITY RESTAURANT	15,000 SF	1,349	10,500 SF	944	
HIGH TURNOVER REST	9,000 SF	1,144	6,110 SF	777	
COFFEE/DONUT SHOP	2,000 SF	1,762	1,400 SF	1,233	
	<b>TOTAL TRIPS</b>	<b>23,968</b>	<b>TOTAL TRIPS</b>	<b>17,910</b>	← under 18,000 trips

**TOTAL OFFICE** 225,000 SF  
**TOTAL RETAIL** 143,000 SF



From Developer's  
Traffic Impact  
Analysis

**115,000 SF**  
**100,000 SF**



From Pool's  
Amendments

So why does Jeff Howard's trip generation table show residential being reduced to reach the 18,000 trip cap when the table above clearly shows residential being retained at 100%?

Answer: ARG's trip calculation purposefully includes a "supermarket" which is much larger than any neighborhood-scale grocer desired by the surrounding neighborhoods and much larger than any retail tenant located on a 2-lane neighborhood collector street.

In fact, the table above and attached is generous in that it includes "supermarket" entitlements over 50% LARGER than needed to house the most common neighborhood grocers in Austin and throughout Texas. See below for *actual* neighborhood grocer brands and sizes that were sent to Council Member Gallo's office on August 1st:

- Trader Joe's Downtown, 11,500 sq ft: <http://www.bizjournals.com/austin/blog/real-estate/2015/04/trader-joes-to-open-soon-at-seaholm-in-downtown.html>
- Trader Joe's Arboretum, 13,200 sq ft: <http://www.bizjournals.com/austin/blog/real-estate/2014/05/trader-joes-grocer-sets-date-for-store-opening-in.html>
- Natural Grocers Guadalupe, 13,500 sq ft: <http://www.bizjournals.com/austin/stories/2009/05/18/daily39.html>
- Fresh Plus Anderson Ln, 11,000 sq ft: [http://www.bizjournals.com/austin/blog/morning\\_call/2012/01/fresh-plus-grocery-opening-n-austin.html](http://www.bizjournals.com/austin/blog/morning_call/2012/01/fresh-plus-grocery-opening-n-austin.html)
- Aldi is a new chain of small grocer with aggressive expansion plans in Texas, typically 17,000 sq ft: <http://www.dallasnews.com/business/retail/20150223-aldi-sees-potential-for-450-stores-in-texas.ece>

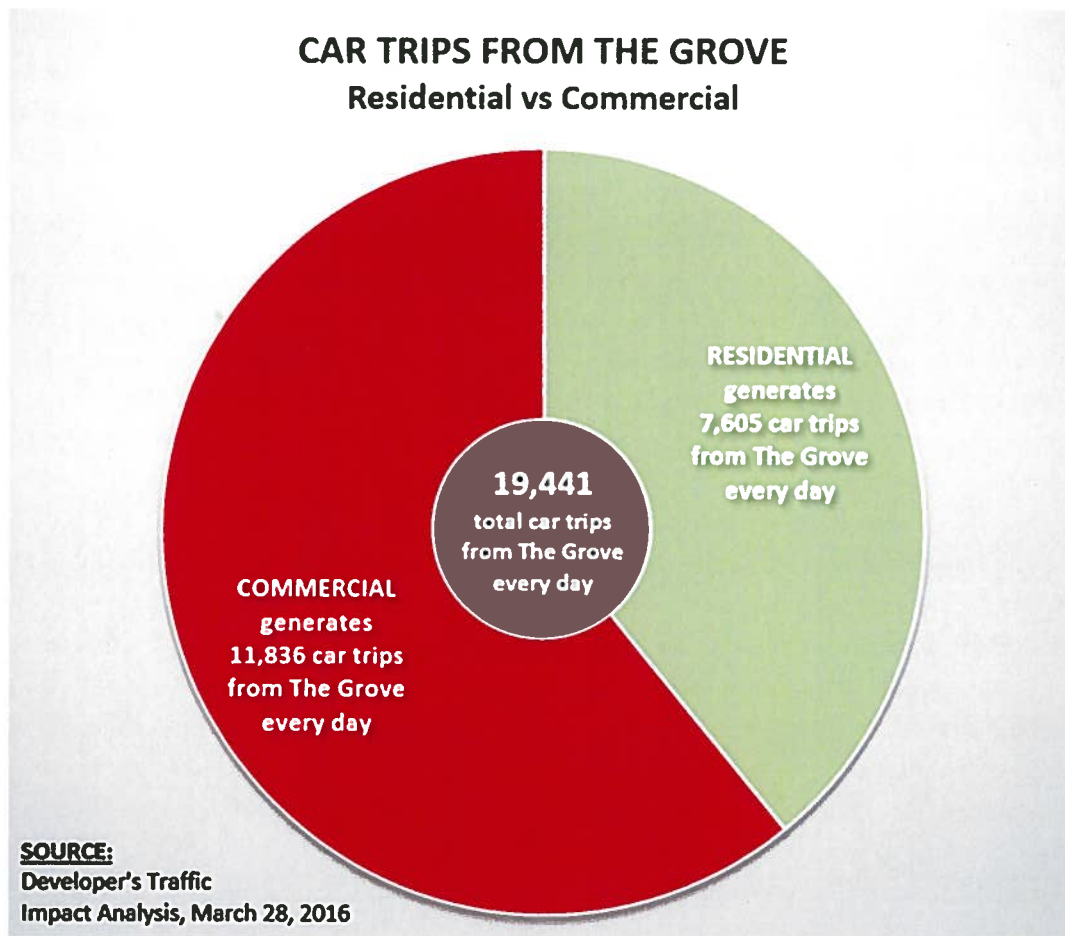
ARG's trip calculation includes nearly 3,600 trips per day for a 35,000 sq ft grocer. Even if we are being generous at 22,000 sq ft, we could account for a reduction of 1,300 unadjusted trips, which alone is nearly *a quarter* of the unadjusted trip reduction that is being requested in Pool's amendments. Combined with a reasonable reduction in office entitlements and a few other retail entitlement adjustments to reflect a realistic neighborhood vision, the 18,000 unadjusted trip cap will be an easy and **important** amendment to accomplish.

**More importantly, please don't believe me or ARG. Send the attached trip generation table to the City's own traffic engineers, and they can confirm that the 18,000 trip cap is easily achievable without affecting the residential units (and, therefore, affordable housing).**

Jeff Howard's second false point is that The Grove's retail and office entitlements shouldn't be reduced because they are "consistent" with surrounding commercial. Jeff's letter even attaches pictures that highlight existing commercial in the area.

This claim fails to mention that the commercial being referenced is along a **5-lane major arterial street** - 35th - that has frequent transit service, easy access to Mopac and Lamar, and is not dependent on small, low-volume residential streets for access. We agree that intense commercial development belongs on transportation and growth corridors as defined by Imagine Austin. The Grove *is not* and never will be on a transportation or growth corridor.

The commercial entitlements requested in The Grove PUD generate **over 60%** of the total vehicle trips. Large-scale retail and office that requires a regional draw to be viable does not belong on a neighborhood collector street with extremely limited connectivity. A reduction of the office and retail, as requested by the BCRC and within Pool's Amendments, will result in a major traffic reduction *even though the cuts being requested represent only 5.7% of the total entitlements in The Grove*.



Again, please don't trust me or ARG when we make these statements. City staff can validate ALL the information being provided in this email.

Jeff Howard makes other statements about how ARG doesn't want to add a few more acres of park and doesn't want to add more affordable housing. This isn't new, and ARG has repeatedly threatened to drop the PUD and pursue conventional zoning. At one of the very first public meetings in April 2015 and at nearly every meeting in the past 18 months, Garrett Martin threatens neighbors with building 300 MileStone spec houses on the property, and now he's threatening you - Austin's elected City Council. It would be an effective threat if the many real estate professionals in the surrounding neighborhoods and elsewhere familiar with this project didn't find it so absurd.

We hope that City staff can dispel the myth from ARG that conventional zoning is somehow remotely close to the economic desirability of the PUD. Our own analysis and calculations of a realistic development scenario based on staff's recommended baseline zoning show that the conventional zoning scenario is **hundreds of millions of dollars** less in real estate value than the PUD *even with Pool's amendments*. These valuations are based on *lower-end* per-square foot central Austin averages sourced from real estate professionals.

Please do not trust the claims made by Jeff Howard and ARG. They were false and misleading 18 months ago, and they continue to be false and misleading today.

The BCRC supports Council Member Pool's proposed amendments to The Grove PUD. They reorient the mix of entitlements and add in commensurate community benefits to respect the site's context, better achieve the City's policy priorities, match the planning goals of Imagine Austin, and reach a truly superior PUD threshold that our City deserves.

Thank you!  
Grayson Cox  
BCRC VP

THE GROVE PUD LAND USES	TRIP FIGURES FROM DEVELOPER'S TRAFFIC IMPACT ANALYSIS		REVISED TRIP FIGURES MEETING POOL'S AMENDMENTS	
	ORIGINAL TIA AMOUNT	24-HR TRIPS	BCRC AMENDED AMOUNT	24-HR TRIPS
SINGLE FAMILY	110 DU	1,146	110 DU	1,146
APARTMENT	600 DU	3,760	600 DU	3,760
RESIDENTIAL CONDO	425 DU	2,265	425 DU	2,265
CONGREGATE CARE	600 DU	1,212	300 DU	606
FITNESS CLUB	7,500 SF	247	7,500 SF	247
OFFICE	200,000 SF	2,223	105,000 SF	1,362
MEDICAL OFFICE	25,000 SF	807	10,000 SF	194
SPECIALTY RETAIL	55,000 SF	2,438	39,200 SF	1,738
SUPERMARKET	35,000 SF	3,578	22,000 SF	2,249
PHARMACY W/O DT	8,500 SF	766	5,780 SF	521
WALK-IN BANK	3,000 SF	364	2,070 SF	251
DRINKING PLACE	8,000 SF	907	5,440 SF	617
QUALITY RESTAURANT	15,000 SF	1,349	10,500 SF	944
HIGH TURNOVER REST	9,000 SF	1,144	6,110 SF	777
COFFEE/DONUT SHOP	2,000 SF	1,762	1,400 SF	1,233
	<b>TOTAL TRIPS</b>	<b>23,968</b>	<b>TOTAL TRIPS</b>	<b>17,910</b>

← 100% of original residential units  
 ← 100% of original residential units  
 ← 100% of original residential units

← 50% LARGER than Trader Joe's and all other neighborhood-scale grocery stores

← under 18,000 trips

TOTAL OFFICE	225,000 SF	115,000 SF
TOTAL RETAIL	143,000 SF	100,000 SF
	↑	↑
	From Developer's Traffic Impact Analysis	From Pool's Amendments



**Sirwaitis, Sherri**

---

**Subject:** FW: The Grove PUD - In Support

---

**From:** Guernsey, Greg  
**Sent:** Tuesday, November 29, 2016 7:12 PM  
**To:** Sirwaitis, Sherri; Rusthoven, Jerry  
**Subject:** Fwd: The Grove PUD - In Support

FYI

Sent from my iPhone

Begin forwarded message:

**From:** Alysha Haggerton <>  
**Date:** November 29, 2016 at 2:01:35 PM CST  
**To:** Ann Kitchen <[ann.kitchen@austintexas.gov](mailto:ann.kitchen@austintexas.gov)>, Delia Garza <[delia.garza@austintexas.gov](mailto:delia.garza@austintexas.gov)>, Don Zimmerman <[don.zimmerman@austintexas.gov](mailto:don.zimmerman@austintexas.gov)>, Ellen Troxclair <[ellen.troxclair@austintexas.gov](mailto:ellen.troxclair@austintexas.gov)>, Greg Guernsey <[Greg.Guernsey@austintexas.gov](mailto:Greg.Guernsey@austintexas.gov)>, Gregorio Casar <[gregorio.casar@austintexas.gov](mailto:gregorio.casar@austintexas.gov)>, Kathie Tovo <[kathie.tovo@austintexas.gov](mailto:kathie.tovo@austintexas.gov)>, Leslie Pool <[leslie.pool@austintexas.gov](mailto:leslie.pool@austintexas.gov)>, Marc Ott <[marc.ott@austintexas.gov](mailto:marc.ott@austintexas.gov)>, Ora Houston <[ora.houston@austintexas.gov](mailto:ora.houston@austintexas.gov)>, "Sabino Renteria" <[sabino.renteria@austintexas.gov](mailto:sabino.renteria@austintexas.gov)>, Sheri Gallo <[Sheri.Gallo@austintexas.gov](mailto:Sheri.Gallo@austintexas.gov)>, Steve Adler <[steve.adler@austintexas.gov](mailto:steve.adler@austintexas.gov)>  
**Cc:** <[Elaine.Hart@austintexas.gov](mailto:Elaine.Hart@austintexas.gov)>  
**Subject:** The Grove PUD - In Support

I'll be out of town for the official hearing on this item, but I'd like to submit my opinion and plea for each of you to approve this Superior Development.

Now that the parks and the traffic and the affordable entitlement issues have all been given some tentative solutions pending approval, I hear a lot of umbrage about the last straw opponents have to grasp onto: retail & commercial space. I take umbrage with the claim that the Grove PUD has an over-abundance of retail or commercial space - it's an ad hominem attack with no basis or statistic for comparison.

In fact, there are actual statistics that measure these kinds of developments, they're called Complete Communities Indicators - and a lot of Austin's vision document for growth, Imagine Austin, is built around optimizing these metrics to include things like mixed developments in existing and new communities.

I'd argue (backed up by the metrics) that the commercial space is what could push this area to become a more Complete Community by allowing local business owners to occupy space in a part of town not previously accessible to them. Retail and commercial space will offer jobs to more people within walking/biking/transit distances. It will offer the residents an opportunity to ditch their cars more evenings and spend that time walking amongst their neighbors on their way to eat, to exercise, to buy pastries, or to run errands.

Some of the most recent political analysis to come out the election cycle shows that urban and rural areas need to be more inclusive of differing socioeconomic demographics, and not only in the name of capital A "Affordable," but in form. Human connections are what's important to inclusive community-building and place-making.

We need to build our environment for the kinds of connections we want to see around us. This suburban experiment that America has lionized on for the past 80 years has made us disconnected and un-empathetic as we zoom past each other in hunks of metal instead of crossing paths with mutual respect.

I'm ready to try something different in Austin. A pattern tried and tested in some of the greatest and most-sought after American cities which has proven to gather people of multiple educational, professional, political, ethnic and economic backgrounds - mixed use & dense development. The kinds of communal spaces offered up the Grove PUD are what I seek in my housing choices, not privacy or isolation. Please give the opportunity for more people to be included in central neighborhoods of Austin. Approving this PUD would go a long way to making that a reality for many folks who hadn't before been considered as stakeholders in this area of town.

--

Alysha Haggerton  
President, Friends of Austin Neighborhoods  
Citizen Advisory Council, Project Connect  
Renter, Heritage Neighborhood - D9  
(although opinions herein are my own)



**PARKS & RECREATION BOARD RECOMMENDATION 20160524-003**

Date: May 24, 2016

Subject: The Grove at Shoal Creek PUD Application

Motioned By: Board Member Luca

Seconded By: Board Member Alter

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

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

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

**Against:** Board Member Casias

**Abstain:** Board Member Schmitz

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

Off the Dais: N/A

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

April L. Thedford, Board Liaison



**ENVIRONMENTAL COMMISSION MOTION FORM 20160615 008a**

**Date:** June 15, 2016

**Agenda Item:** The Grove at Shoal Creek Planned Unit Development

**Motion by:** Peggy Maceo

**Seconded by:** Mary Ann Neely

**RATIONALE:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **VOTE 6-4-1**

Recuse: None

For: Gooch, Maceo, Perales, Neely, Guerrero, Thompson

Against: B. Smith, Creel, Moya, Grayum

Abstain: None

Absent: H. Smith

Approved By:

A handwritten signature in black ink, appearing to read "Marisa Perales", written in a cursive style.

Marisa Perales, Environmental Commission Chair



## Memorandum

**To:** Environmental Commission Members

**From:** Ricardo Soliz, Division Manager

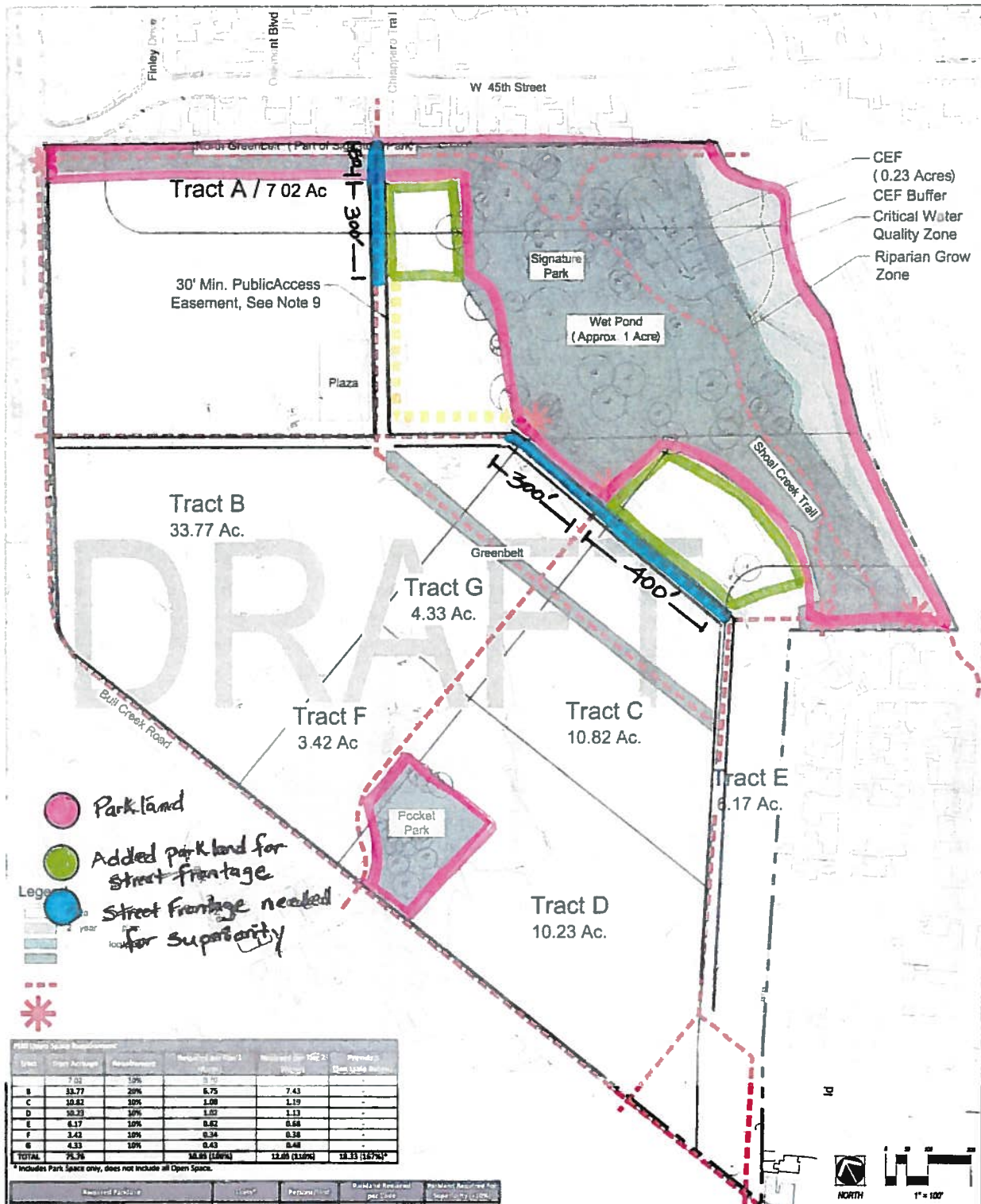
**Subject:** Parks and Recreation Department  
Status on the Grove at Shoal Creek

**Date:** June 9, 2016

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

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

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



Tract	Area (Acres)	Required (Acres)	Provided (Acres)	Deficit (Acres)
A	7.02	7.02	7.02	0.00
B	33.77	33.77	33.77	0.00
C	10.82	10.82	10.82	0.00
D	10.23	10.23	10.23	0.00
E	6.17	6.17	6.17	0.00
F	3.42	3.42	3.42	0.00
G	4.33	4.33	4.33	0.00
<b>TOTAL</b>	<b>79.76</b>	<b>79.76</b>	<b>79.76</b>	<b>0.00</b>

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

Required Parkland	Units*	Per Unit	Required Parkland per Unit	Required Parkland per Unit
Residential Units	1250	1.7	21.25	11.89
Commercial Units with Kitchens	150	1.7	25.50	1.4
<b>TOTAL</b>	<b>1400</b>	<b>1.7</b>	<b>46.75</b>	<b>13.29</b>

\* Includes all 100' wide roadways.

Required Parkland	Units*	Per Unit	Required Parkland per Unit	Required Parkland per Unit
Signature Park (Publicly Dedicated)	1.38	0%	0.00	1.38
Signature Park (Publicly Dedicated)	8.27	80%	6.62	8.27
CEP in Signature Park (Publicly Dedicated)	0.23	0%	0.00	0.23
CEP Buffer in Signature Park (Publicly Dedicated)	0.31	0%	0.00	0.31
Critical Water Quality Zone	0.34	0%	0.00	0.34
Wet Pond Permanent Pool in Signature Park (Publicly Dedicated)	1.00	100%	1.00	1.00
North Greenbelt, located in Signature Park (Publicly Dedicated)	0.87	100%	0.87	0.87
Remainder of Signature Park (Publicly Dedicated)	9.60	100%	9.60	9.60
Neighborhood Park (Publicly Dedicated)	1.25	100%	1.25	1.25
Greenbelt (Private/Public Easement)	1.25	50%	0.62	1.00
<b>TOTAL</b>	<b>22.93</b>	<b>50%</b>	<b>11.29</b>	<b>11.64</b>

Note: The Signature Park will be a minimum of 10.00 acres in size (including Greenbelt, CEP, North Greenbelt, etc.). All other park acreages are approximate.

Total Credited Parkland for the project must be at least equal to the total shown in the table.

#### Notes:

- Phase: Only areas of the plaza that are publicly accessible and designed for active recreation and community gathering may be credited as parkland. Appropriate parkland uses for the plaza include interactive water features, children's play features, performance areas, game areas, and areas designed for free and casual congregations. If final plaza design does not meet these standards, an additional 0.23 acres of parkland shall be provided elsewhere on site.
- All park space shall be improved and maintained by the Applicant, as described in the Master Parkland Agreement.
- Park, trail, and pedestrian and bicycle access locations depicted in this exhibit are approximate and intended to demonstrate compliance with Tier 1 and Tier 2 requirements. Exact locations and boundaries will be determined at Site Plan.
- Trails in the PUD that are shown on the Austin Urban Trails Master Plan at the time of Site Plan shall be constructed per the standards of that plan. These trails must be either dedicated public easements or dedicated parkland.
- The Wet Pond will be designed as an amenity. Recreational uses shall be adjacent to and/or intersect with the pond and users shall be able to approach the pond in multiple locations.
- Public parking shall be provided to serve the signature park. This may be on-street parking, garage parking, surface lots, or a combination thereof.
- Subject to approval by the City, a trail connection shall be provided from the Shoal Creek Trail to Jefferson Street on the City owned land at this location.
- The signature park shall have a minimum of 400' of total street frontage. This may be a combination of frontage on Bull Creek Road, Jackson Avenue, and internal roadways.
- A minimum 30'-wide public access easement shall be provided adjacent to public roadways on any non-residential land uses that border the Signature Park (e.g., restaurants). The easement shall be designed as a public space and shall connect to the Signature Park.

## The Grove at Shoal Creek Planned Unit Development Parks Plan Exhibit

Exhibit G

June 07, 2016

Sheet 1 of 1

2121 E. Shely Street, Ste 203  
Austin, Texas 78702  
P 512.353.7888  
F 512.353.7188

www.norris-design.com



**Rationale for frontage and acreage needed to provide the frontage:**

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

Ricardo Soliz





---

## The Grove at Shoal Creek PUD Application

---

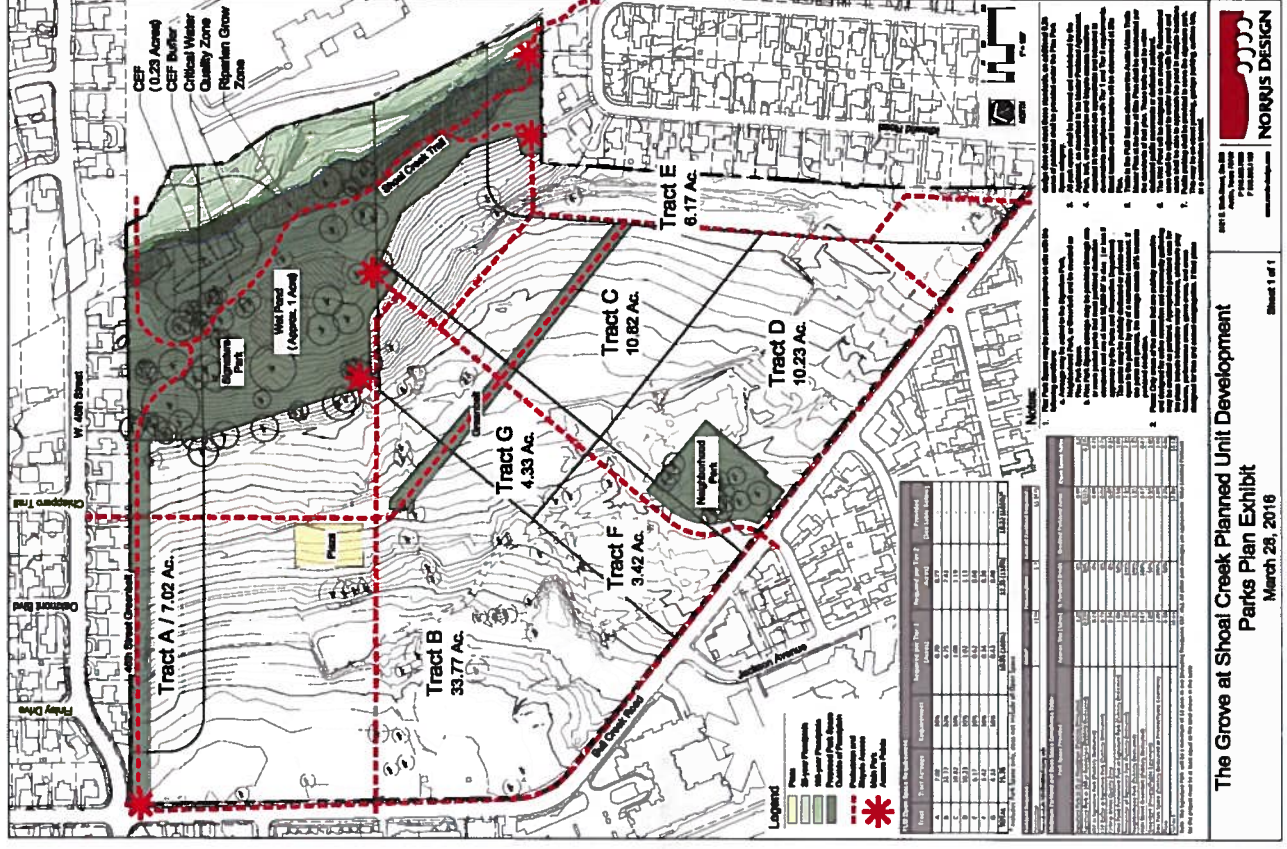
Randy Scott, Park Development Coordinator  
City of Austin - Parks & Recreation Department  
May 24, 2016



# PUD Project Site

Exhibit for approval shows 16.63 acres of parkland:

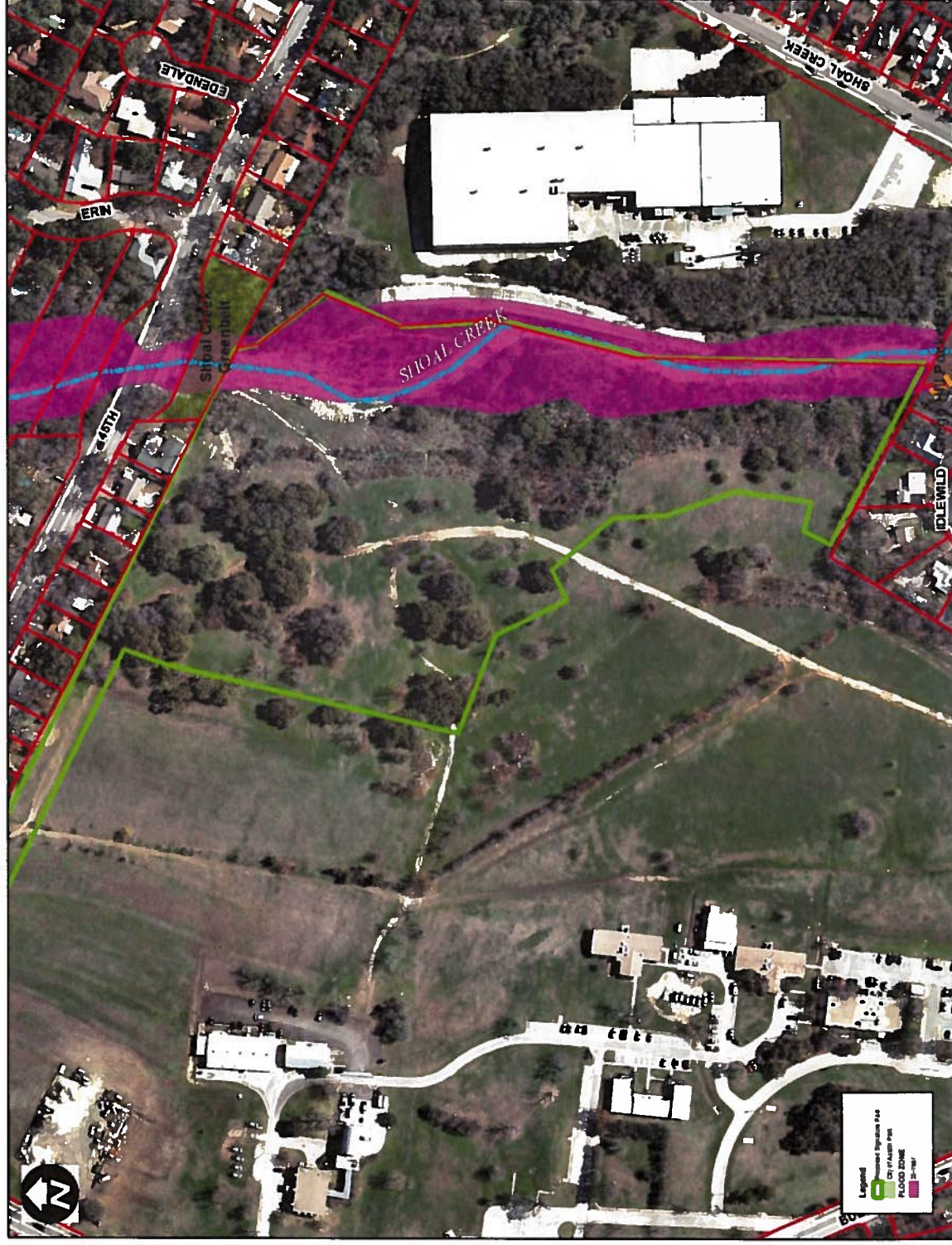
- a Signature Park (13.88 acres)
- a Neighborhood Park (1.25 acres)
- a Greenbelt area (1 acre)
- a Plaza with recreation (.5 acres)







**No Credit  
for 25- Year  
Floodplain  
= 10.68 Acres**

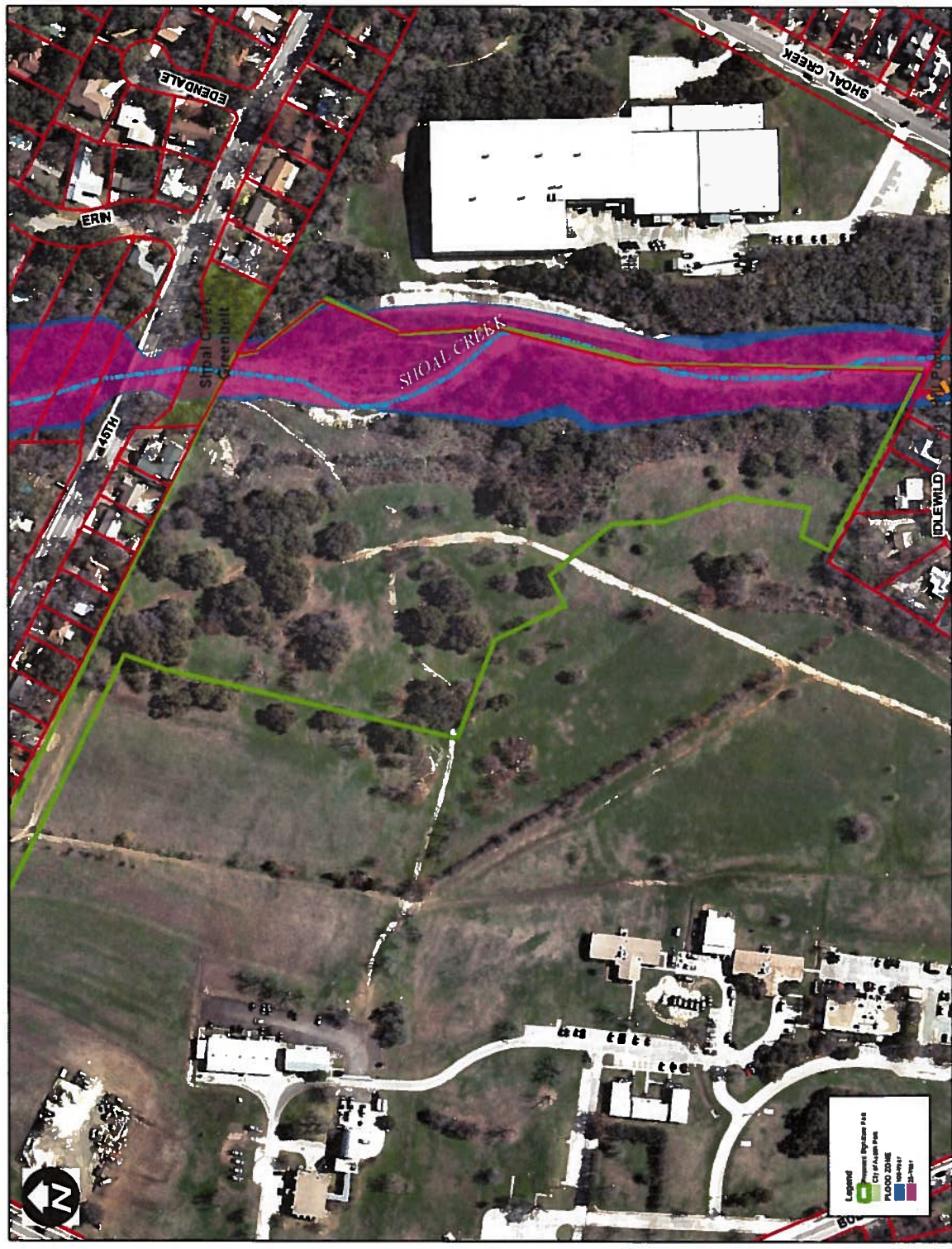






# PUD Project Site

□ Acreage Credits – Signature Park (13.88 acres)



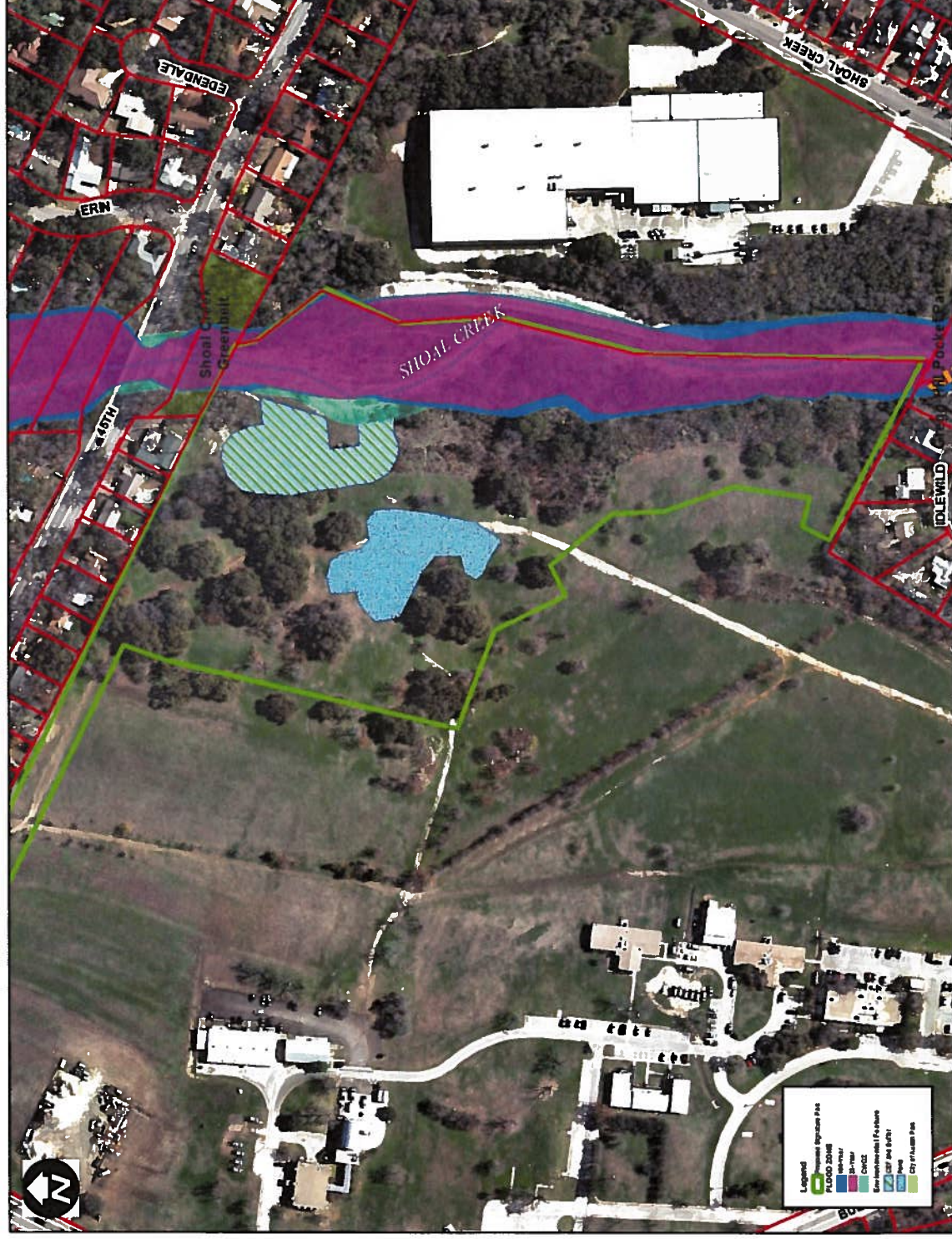
Half Credit  
for 100 -  
Year  
Floodplain  
= 10.56 Acres





No credit for  
CEF, CWQZ  
and 1/2 of  
Pond

**= 8.88 Acres**







## ☐ Standards Analysis (Active Play Areas)

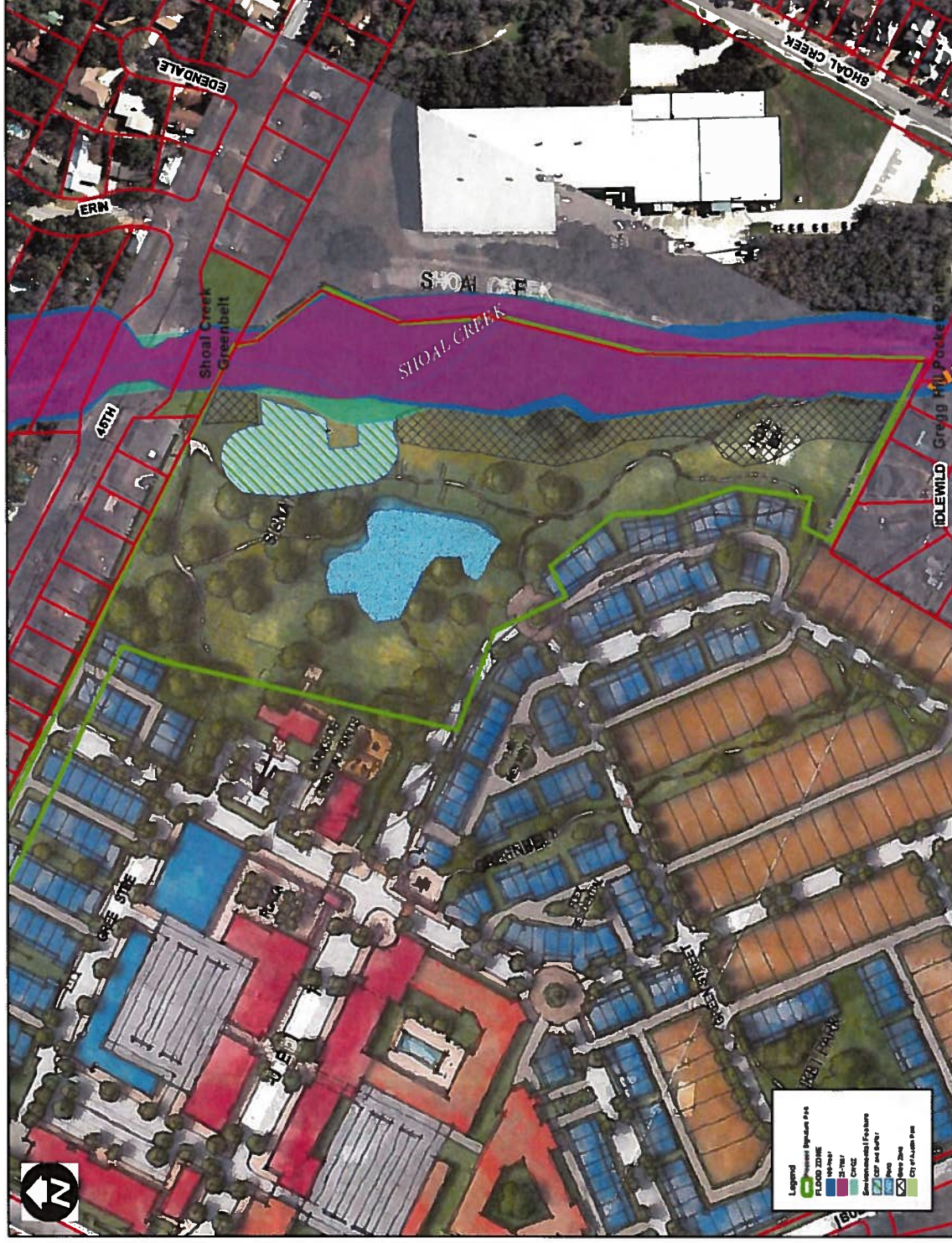






# PUD Project Site

## □ Standards Analysis (Active Play Areas)

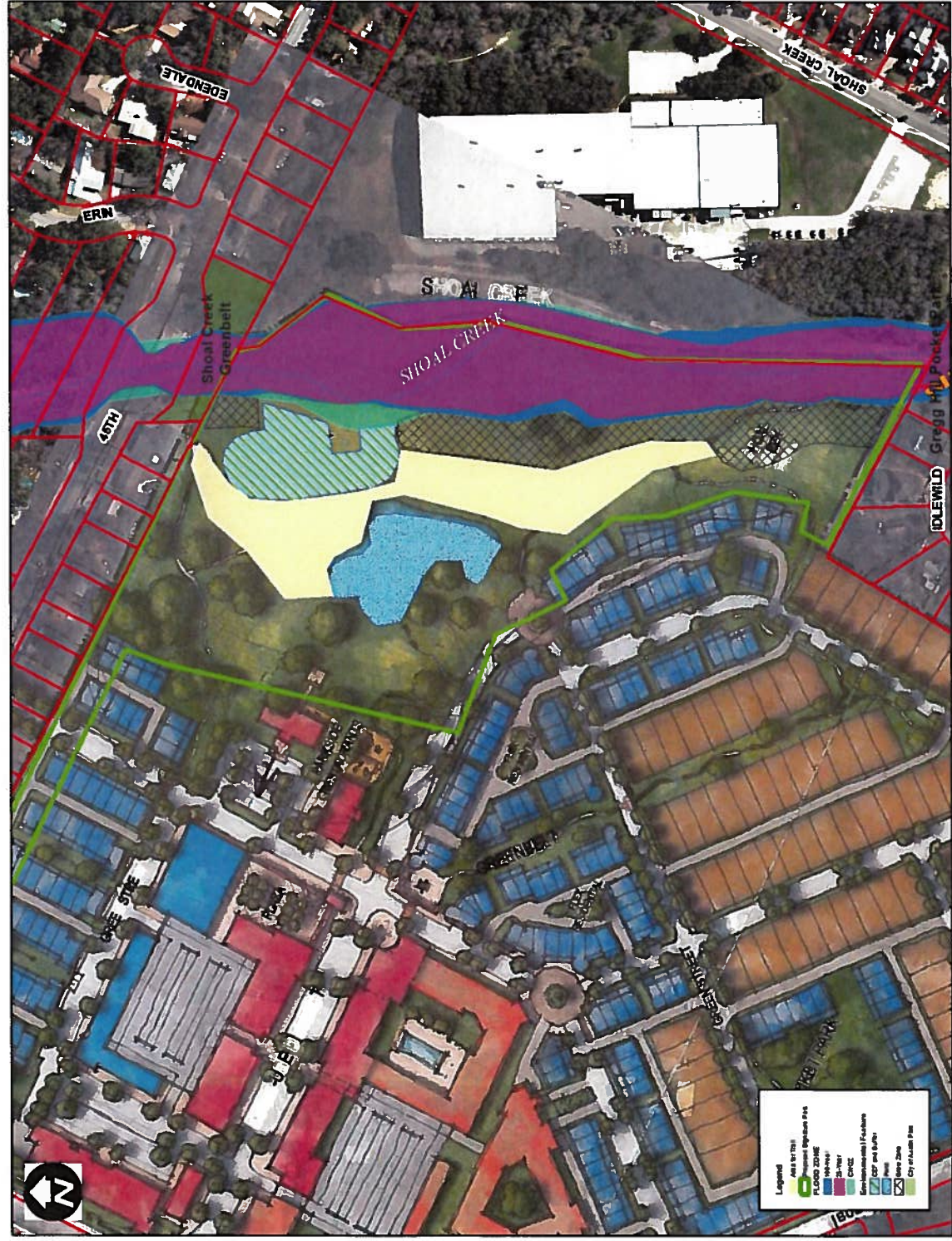






# PUD Project Site

□ Standards Analysis (Active Play Areas)



= Desired trail uses about 2 acres











# Review Conclusions

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







# Staff Recommendation

## ■ Superiority could be reached if:

- Parkland is provided at 10% above the required land dedication.

### This includes:

- Placing the 2 acres of Flex Space in the Signature Park
- Adding approximately 3 acres to the Signature Park with more street frontage and usable play space away from residences
- The exact number of dwelling units is required for PARC to make the exact PLD calculation

- A trail is built that connects the development to the Shoal Creek Greenbelt at Jefferson Street south of the development;

- Removal of the residential uses around the Neighborhood Park to make the park more public and allow for full use of all the acreage or create a larger buffer from the homes;

- Continue to include at least \$750 per unit on park development



## THE GROVE AT SHOAL CREEK

### PARKLAND AGREEMENT TERMS

1. Applicant: Similar to Whisper Valley Parkland Agreement  
PARD: A variety of formally approved Parkland Improvement Agreements may be considered.
2. Applicant: Establishes Developer and its successors at the Parks Operation Manager ("POM")  
OK  
PARD: OK
3. Applicant: Requires dedication of portions of the required City Parkland Areas in connection with approval of Site Plans as development occurs.  
PARD: A master park plan should be developed in phases. The phases should be established according to the number of units completed over time. This could be recorded and tracked by a spreadsheet. The first phase should be a park master plan that is approved by PARD.
4. Applicant: Requires developer to spend at least \$750 per residential unit on park improvements. PARD: OK
5. Applicant: Developer responsible for design of parkland improvements but is subject to Design Guidelines, Parks Plan, PUD, safety requirements and must "serve citizens of the City and residents of the Project"  
PARD: The current Design Guidelines only address greenbelt trails and residential uses next to parks. The development team will need to acquire PARD's playscape, turf, amenity equipment and trail standards (or provide PARD an alternative to approve) and then add those standards to the Design Guidelines Section 5.2.2.
6. Applicant: City will get to review site plan with park improvements to insure requirements are met.  
PARD: OK
7. Applicant: Requires tree trimming plan and City approval of tree trimming  
PARD: OK
8. Applicant : City has to promptly review and not unreasonably withhold approval of site plan that meets requirements  
PARD: OK
9. Applicant: Allows the Developer, in compliance with PUD, to locate water quality, detention and drainage facilities, utilities, road crossings, wetland preservation, floodplain improvements, landscaping, trails, project signage in addition to park improvements and programming, in City Parkland Areas.  
PARD: PARD will not allow road crossing within the deeded parkland. Road crossings were allowed in the Whisper Valley Parkland Improvement Agreement due to its large size of 600 acres.

10. Applicant: City cannot alter or install new park or other improvements without developer approval  
PARD: PARD would like to have mutually agreed upon facilities. PARD staff will need City Legal advice on how to word this section to ensure there is a mutual benefit.
11. Applicant: POM will be responsible for operation and maintenance at no cost to City  
PARD: OK
12. Applicant: Must comply with City Park Rules in Chapter 8-1 and Chapter 11-1 with respect to operations, maintenance and programming  
PARD: OK
13. Applicant: POM may establish additional Project Park Rules so long as they keep park fully open to public and do not conflict with City Park Rules  
PARD: The additional Project Park Rules will need to be approved by PARD.
14. Applicant: POM may schedule special events with 14 day prior notice to City and reservations must be consistent with PARD reservation policies  
PARD: Before PARD would agree to allow the POM to schedule special events, this requires more discussion within PARD. The issue is the type and size of such events.
15. Applicant: POM shall not be charged fees by the City for such programming in light of its taking on operations and maintenance  
PARD: Before PARD would agree, this requires more discussion within PARD. City Council would have to approve this action. This could be incorporated into the PUD agreement.
16. Applicant: POM can charge reasonable admission fees for special events to cover costs that involve payment such as for performers or entertainers  
PARD: Typically, special event fees are a General Fund revenue. This type of arrangement would have to be approved by City Council.
17. Applicant: Except for temporary private events that are reserved consistent with PARD reservation policies, special events shall be open to the public  
PARD: OK
18. Applicant: POM can allow concessions so long as concessions complement use of parkland and any concession fees go into park maintenance, operation and/ or improvements  
PARD: PARD would need to approve the concessions just as they do in the Whisper Valley and other agreements.
19. Applicant: PARD will have right and responsibility to enforce City Park Rules and penal ordinances related to public health and safety  
PARD: OK

20. Applicant: Developer shall be entitled to name the Signature Park so long as such name is not offensive to any racial or ethnic group or minority.

**PARD: The developer would have to comply with the City's Park Naming Code requirements.**



City of Austin  
**Austin Energy**

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

6/09/2016

Environmental Commission Motion Form 20160601 008b

Dear Environmental Commission,

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

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

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

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

[www.austinenergy.com](http://www.austinenergy.com)

[twitter.com/austinenergy](https://twitter.com/austinenergy) / [facebook.com/austinenergy](https://facebook.com/austinenergy) / [youtube.com/austinenergyvideos](https://youtube.com/austinenergyvideos)

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

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

Kind regards,



Kurt Stogdill  
Manager, Green Building & Sustainability



## MEMORANDUM

**TO:** Chuck Lesniak, Environmental Officer

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

**DATE:** June 9, 2016

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

### Information Requested

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

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

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

### Erosion Impact

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

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

### Geomorphic Analysis

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



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

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

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

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

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

#### Preliminary Cost Estimates

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

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

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

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

Attachments: Map – The Grove PUD Erosion Assessment

CC: Andrea Bates  
Mike Kelly



## The Grove PUD Erosion Assessment

### Potential Future Erosion Limits

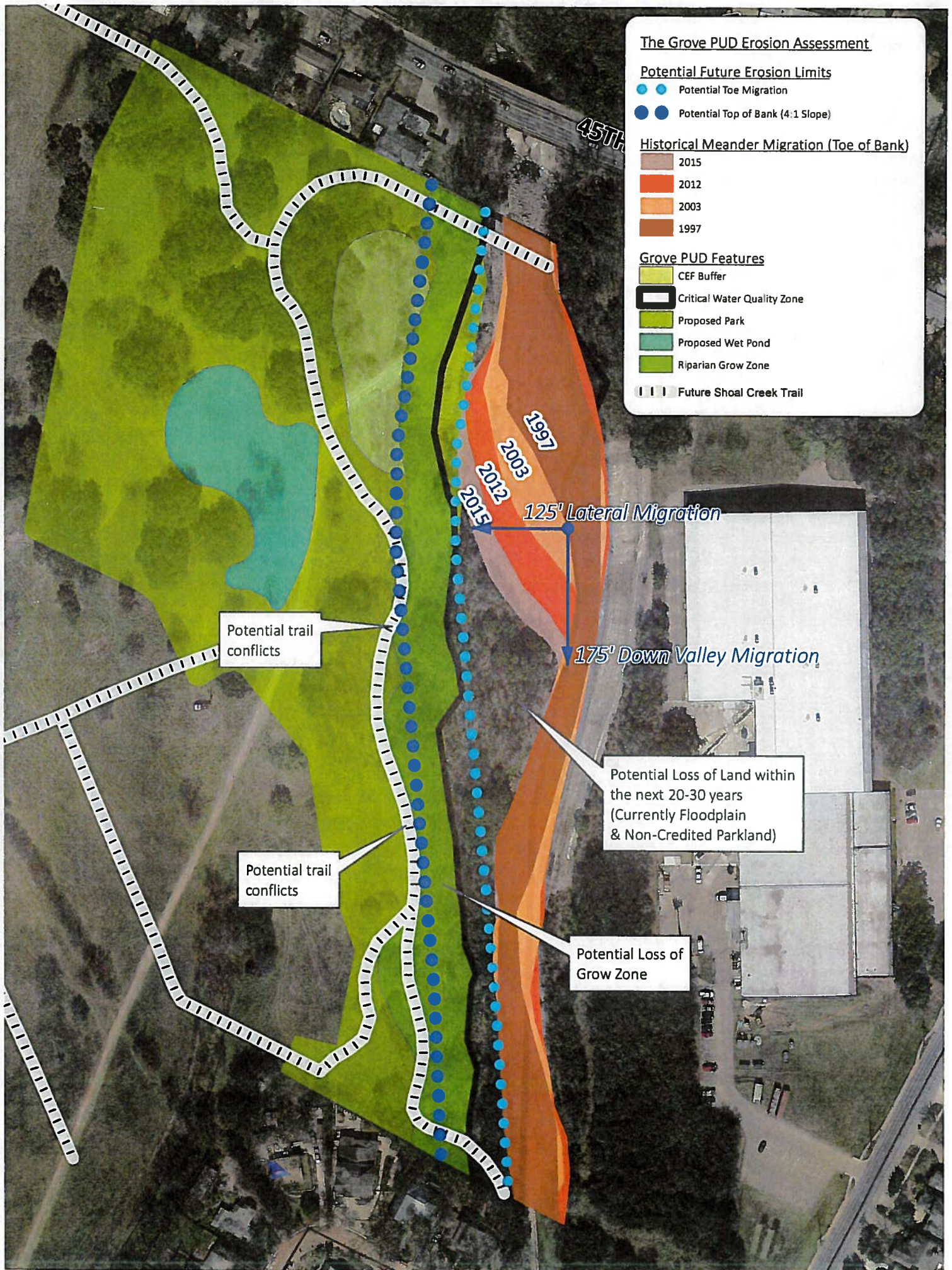
- Potential Toe Migration
- Potential Top of Bank (4:1 Slope)

### Historical Meander Migration (Toe of Bank)

- 2015
- 2012
- 2003
- 1997

### Grove PUD Features

- CEF Buffer
- Critical Water Quality Zone
- Proposed Park
- Proposed Wet Pond
- Riparian Grow Zone
- Future Shoal Creek Trail







July 12, 2016

Ms. Sherri Sirwaitis  
City of Austin Department of Planning and Zoning  
505 Barton Springs Road  
Austin, Texas 78704

Re: Case C814-2015-0074

Dear Ms. Sirwaitis:

Our agency is the owner of the property located at 4400 Shoal Creek Boulevard directly east of the Grove at Shoal Creek Planned Unit Development at 4205 Bull Creek Road. The posted "Zoning Review Sheet" for the project that is posted on the City's website lists on page 10 among the "Community Amenities" offered by the developer to "Provide a pedestrian and bicycle bridge across Shoal Creek."

Please be advised that neither the Texas State Library and Archives Commission nor the Texas Facilities Commission have granted permission or an easement for the construction of a pedestrian bridge from our property. While our agency has had contact and questions from City personnel about such a bridge, we have never received a request from either the City or the developer to permit the construction of a bridge from our property. Such a request would have to be considered by our staff, approved by our Commission, and also be reviewed and approved by the Texas Facilities Commission.

If you have any questions about this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Mark Smith".

Mark Smith  
Director and Librarian

cc: Harvey Hilderbran, Executive Director, Texas Facilities Commission

Lorenzo de Zavala  
State Archives and  
Library Building

1201 Brazos Street  
Austin, Texas  
78701

P.O. Box 12927  
Austin, Texas  
78711-2927

[www.tsl.texas.gov](http://www.tsl.texas.gov)

*Commission Chairman*  
Michael C. Waters

*Members*

Sharon T. Carr  
F. Lynwood Givens  
Larry G. Holt  
Romanita Matta-Barrera  
Wm. Scott McAfee  
Martha Wong

*Director and Librarian*  
Mark Smith

**TSLAC**

*Preserving yesterday,  
informing today,  
inspiring tomorrow.*



**Bicycle Advisory Council**

**Recommendation Number 20160719-05A: The Grove at Shoal Creek**

WHEREAS, high-density, mixed-use development supports walkable, bikeable communities by creating destinations near where people live and work;

WHEREAS, the protected bike lanes, the bridge over Shoal Creek and the Urban Trails identified in the current Grove plans will help connect the central All-Ages and Abilities bicycle network;

NOW, THEREFORE, BE IT RESOLVED that the Bicycle Advisory Council supports the planned unit development (PUD) with the following understanding:

That the developer include an 8' shared-use bike-pedestrian path and 7' on street protected bike lane along Bull Creek Road adjacent to the development, and that the developer and City of Austin will revisit the BAC prior to site plan approval to determine the most preferred configuration for northbound bicycle traffic on Bull Creek Road, up to and including the intersection at 45th street. The BAC supports protected bikeways on both sides of Jackson Avenue.

Date of Approval: July 19, 2016

Record of the vote: Unanimously approved

Attest: Thomas D. Thayer

**Tom Thayer**

**Chair, Bicycle Advisory Council**

**WATER AND WASTEWATER  
SERVICE EXTENSION  
REQUEST FOR  
CONSIDERATION**

Name: Bull Creek Tract		Service Requested: Water	
SER-3607	Hansen Service Request Number 555717	Date Received: 02/24/2015	
Location: 4205 BULL CREEK RD AUSTIN TX 78731- BULL CREEK TRACT			
Acres: 75.79	Land Use: MIXED		
Alt. Utility Service or S.E.R. Number: City of Austin Wastewater SER-3608			
Quad(s): H26 H27 J27		DDZ: YES	
Drainage Basin: SHOAL UPPER	Pressure Zone: NORTH	DWPZ: NO	
Flow: (Estimated Peak Hour Flow, Gallons per Minute) 2989 GPM		% Within City Limits: 100	
Cost Participation: \$0.00		% Within Limited Purpose: 0	


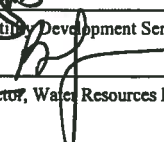
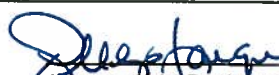
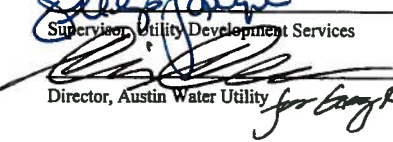
**Description of Improvements:**  
 Phase 1 (Approximately 350 LUEs) - Applicant shall construct approximately 355 feet of 12-inch water main from the existing 12-inch water main (Project no. 2004-0010) in BULL CREEK RD, south along BULL CREEK RD and connect to the existing 12-inch water main (Project no. 2002-0017) in W 44TH ST. The proposed 12-inch water main shall replace the existing 6-inch water main located along this path and all existing services shall be reconnected to the proposed 12-inch water main.

Phase 2 (Remainder of development) - Applicant shall construct approximately 3,410 feet of oversized 24-inch transmission main from the existing 48-inch transmission main (Project no. 78-0430) located in PERRY LN, southeast along PERRY LN, south along HIGHLAND TERRACE/W 45TH ST, and then southeast along W 44TH ST to the 12-inch water main constructed as part of the Phase 1 improvements.

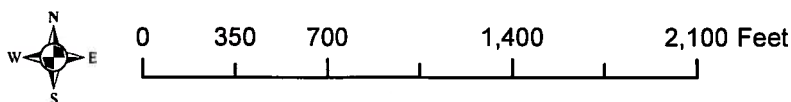
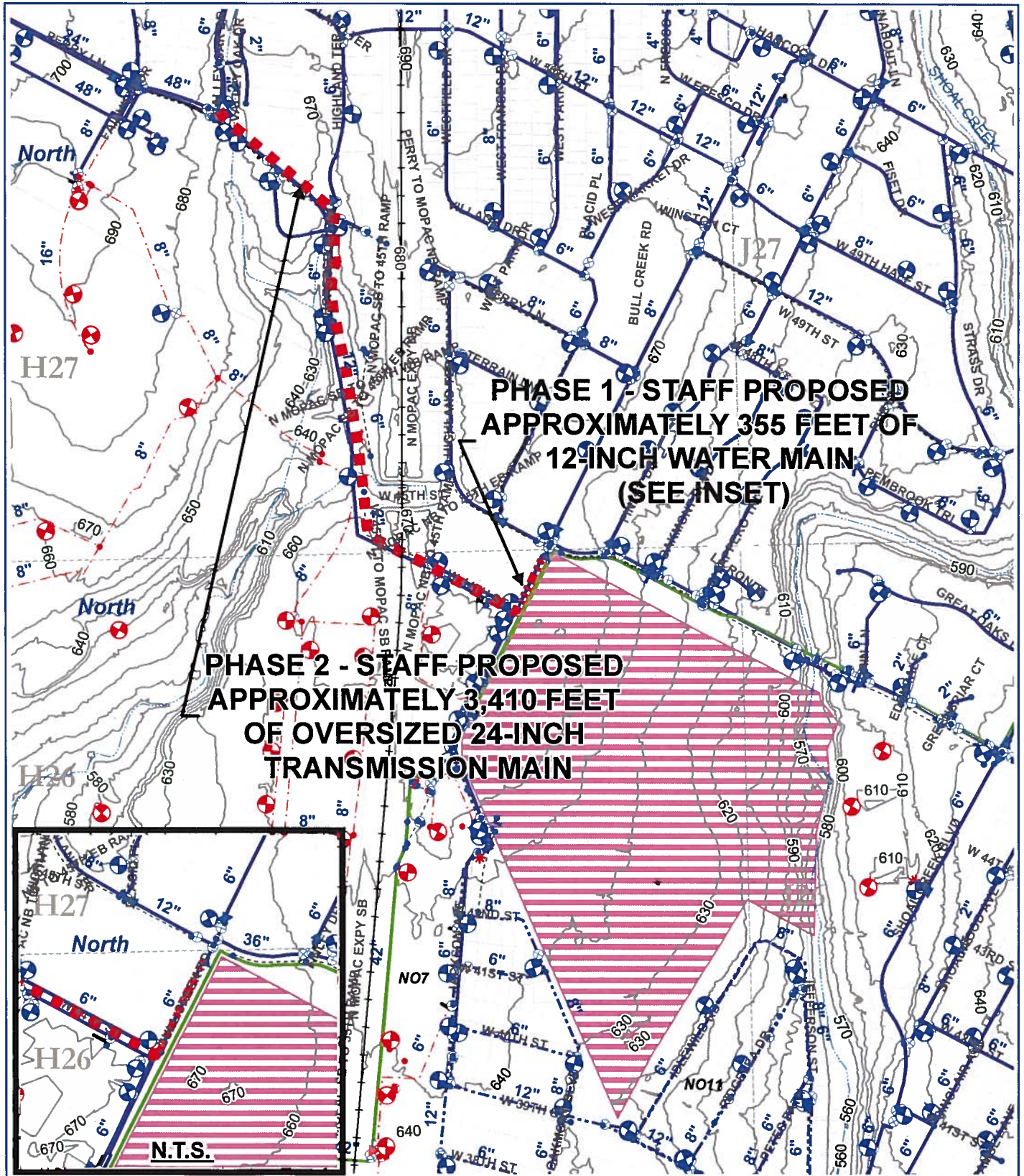
NOTES: 1) Sprinkled fire flow requirement of 2,250 gpm based on engineering calculations received from Roman D. Grijalva, P.E. on 3/17/2015. 2) A pressure reducing valve (PRV) will be required on the domestic/private service line(s) at the property connection. 3) The looping requirements noted in the Utilities Criteria Manual may not be satisfied by connecting to the area located to the south of the subject tract. This area is part of the North Reduced (NO11) pressure zone and is not suitable for serving the subject tract.

**Approval of this Service Extension Request is subject to completion and acceptance of the improvements described above and the conditions set forth below:**

- 1) Construction of all Service Extensions is subject to all environmental and planning ordinances.
- 2) Service Extensions are subject to the guidelines established in the Land Development Code, Chapter 25-9, Water and Wastewater Utility Service.
- 3) The level of service approved by this document does not imply commitment for land use.
- 4) Public utility lines must meet City of Austin design and construction criteria and must be approved by Austin Water Utility Engineering Review.
- 5) Approval of a site plan that meets the Fire Department requirements for fire control.
- 6) Proposed public water improvements will be dedicated to the City of Austin for ownership, operation, and maintenance.
- 7) Proposed public water improvements must be placed in the public right-of-way or approved utility easements. Utility easements must be in place prior to construction plan approval.
- 8) The approved Service Extension will automatically expire 180 days after date of approval unless a development application has been accepted by the Development Services Department. The Service Extension expires on the date the development expires, or if approved, on the date the development application approval expires.
- 9) Approval by the City Council will be required should the applicant seek cost participation for required oversized water improvements.

 Prepared By: <u>Utility Development Services</u>  Assistant Director, Water Resources Management	7/20/15 Date	 Supervisor, Utility Development Services  Director, Austin Water Utility	7-20-15 Date
--	-----------------	--	-----------------





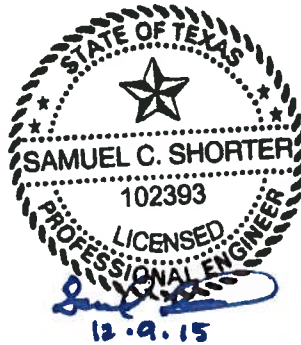
**W. S.E.R. Name: Bull Creek Tract**  
**W. S.E.R. Number: 3607**

Utility Development Services Plotted 6/24/2015

- Subject Tract
- Central Pressure Zone
- North Pressure Zone
- Northwest A Pressure Zone
- North Reduced Pressure Zone
- Private
- Abandoned



**Project** Bull Creek Tract - 24" Offsite Waterline  
**Client** ARG Bull Creek, Ltd.  
**SER No.** 3607  
**Date** 11/3/15 (Revised 12/9/15)  
**By** S.C. Shorter  
**Title** Engineer's Cost Estimate



No.	Spec. Item	Item Description	Unit	QTY	Unit Price	Amount
1	101S-B	Preparation of ROW	Sta	29.51	\$ 8,500.00	\$ 250,835.00
2	315S-A	Surface Milling, 3" Depth	SY	4,585	\$ 7.50	\$ 34,387.50
3	340S-B-12	Hot Mix Asphaltic Concrete Pavement, 12" Base, Type B	SY	1,566	\$ 120.00	\$ 187,920.00
4	340S-B-3	Hot Mix Asphaltic Concrete Pavement, 3" Surface, Type C	SY	4,585	\$ 35.00	\$ 160,475.00
5	501S	Jacking or Boring 42" Pipe, 3/4" Wall Thickness, Type ASTM A134 Steel	LF	497	\$ 915.00	\$ 454,755.00
6	505S-B	Encasement Pipe 36" Dia., 1/2" Wall Thickness, Type ASTM A134 Steel	LF	20	\$ 275.00	\$ 5,500.00
7	509S-1	Trench Excavation Safety Protection	LF	2,909	\$ 3.00	\$ 8,727.00
8	510-AW - 8" Dia.	Pipe, 8" Dia. PVC C900 DR-14 Type (all depths), including Excavation and Backfill)	LF	40	\$ 105.00	\$ 4,200.00
9	510-AW 24Dia.	Pipe, 24" Dia. Class 250 Ductile Iron Type (all depths), including Excavation and Backfill)	LF	3,351	\$ 315.00	\$ 1,055,565.00
10	510-BW-1.5"x1.5" Dia.	Connecting New Single Service to Existing Private Service	EA	12	\$ 3,000.00	\$ 36,000.00
11	510-JW-12"x8" Dia.	Wet Connections, 12" Dia. X 12" Dia.	EA	3	\$ 5,000.00	\$ 15,000.00
12	510-JW-48"x24" Dia.	Wet Connections, 48" Dia. X 24" Dia.	EA	1	\$ 65,000.00	\$ 65,000.00
13	510-KW	Ductile Iron Fittings	Ton	5.5	\$ 9,500.00	\$ 52,250.00
14	511S-A-8	Valves, Gate Type, 8" Diameter	EA	3	\$ 2,500.00	\$ 7,500.00
15	511S-A-24	Valves, Gate Type, 24" Diameter	EA	1	\$ 30,000.00	\$ 30,000.00
16	511S-B	Fire Hydrants (See Standard No. 511S-17)	EA	2	\$ 4,500.00	\$ 9,000.00
17	511S-F	Automatic Combination Air/Vacuum Release Valve Assembly, 3" Diameter	EA	2	\$ 7,500.00	\$ 15,000.00
18	609S-A	Topsoil and Seedbed Preparation	SY	3,400	\$ 4.00	\$ 13,600.00
19	609S-C	Native Grassland Seeding and Planting	SY	3,400	\$ 4.00	\$ 13,600.00
20	609S-E	Watering	SY	3,400	\$ 2.00	\$ 6,800.00
21	610S-A	Protective Fencing Type A Chain Link Fence (Typical Application-high damage potential)	LF	195	\$ 7.00	\$ 1,365.00
22	628S-B	Sediment Containment Dikes with filter fabric	LF	70	\$ 10.00	\$ 700.00
23	642S	Silt Fence for Erosion Control	LF	950	\$ 5.00	\$ 4,750.00
24	641S	Stabilized Construction Entrance	EA	3	\$ 1,600.00	\$ 4,800.00
25	700S-TM	Total Mobilization Payment	LS	1	\$270,000.00	\$ 270,000.00
26	701S-H	Security Fence, 6' High, Type Chain Link	LF	469	\$ 50.00	\$ 23,450.00
27	701S-T	Temporary Fence, 6' High, Type Chain Link	LF	532	\$ 25.00	\$ 13,300.00
28	803S-MO	Barricades, Signs, and Traffic Handling	MO	9	\$ 17,500.00	\$ 157,500.00
29	871S-A	Reflectorized Type I Thermoplastic Pavement Markings, 4" in Width, .090 mils in Thickness, White in Color	LF	300	\$ 10.00	\$ 3,000.00
30	871S-C	Reflectorized Type I Thermoplastic Pavement Markings, SHAPES, .090 mils in Thickness, White in Color	EA	4	\$ 120.00	\$ 480.00
31	874S-A	Eliminating Existing Pavement Markings, 4" to 12" Widths	LF	350	\$ 10.00	\$ 3,500.00
32	TXDOT 540-2001	Metal W-Beam Guard Fence (Timber Posts)	LF	320	\$ 40.00	\$ 12,800.00
33	TXDOT 542-2001	Remove Metal Beam Guard Fence	LF	320	\$ 10.00	\$ 3,200.00
34	ALLOWANCE-1	Allowance for Utility Pole Relocations	LS	1	\$ 25,000.00	\$ 25,000.00
35	ALLOWANCE-2	Allowance for Camp Mabry Security Provisions	LS	1	\$ 40,000.00	\$ 40,000.00
Subtotal Construction Cost						\$ 2,989,959.50

Request for COA Participation for Hard Costs	33%	\$ 986,686.64
Request of COA Participation for Soft Costs (15% of Hard Cost Participation Request)	15%	\$ 148,003.00

## Spillar, Rob

---

**From:** Hemingson, Todd <Todd.Hemingson@capmetro.org>  
**Sent:** Wednesday, August 31, 2016 2:38 PM  
**To:** Spillar, Rob  
**Subject:** The Grove and Connections 2025

Rob- Per our discussions, I'm writing to update you on the recent recommendations of the Connections 2025 Plan as it relates to The Grove development. Our team has recommended eliminating Route 19 due to low ridership and other factors, which would in turn remove service from Bull Creek Road which fronts the development site. We are currently taking public input on the Connections 2025 Plan and expect to present a final plan to the board in November. However, specific service changes resulting from the plan will also include a second round of public input, and board action, several months prior to implementation. The specific timing for the route change has yet to be determined, but preliminarily would occur in mid-to-late 2017.

The plan also recommends establishing a new crosstown route on W. 35/38<sup>th</sup> Streets with stops near the intersection with Bull Creek Road. This service is slated to offer more frequent (every 15 minute), provide a greater span of service (operating earlier and later) and include improved weekend service levels compared to the current #19 route. The 35/38<sup>th</sup> Street service is within walking distance of a significant portion of the development site. While we do recognize that the walking distance will increase, and that such a walk will not always be feasible for many (on the hottest days of summer, for example), we do believe that based on national and even global experience people will use transit more with increased frequency even if it means a slightly further walk. Also, we do plan to be flexible and remain open to adjusting the plan to accommodate growth and development; we would consider a Community Service route in the future (although it may be necessary to identify supplemental funding to help support it); and we do intend to find ways to develop 'layers' of mobility that work together to provide alternatives to driving single-occupant vehicles, with TNCs, bikeshare and ultimately autonomous vehicles as examples of complementary mobility options that could provide improved connectivity to The Grove location.

Transit supportive developments featuring higher densities and walkable mixed use, along with well-managed parking and transportation demand management programs are, in our view, consistent with Imagine Austin and Connections 2025 and do facilitate less drive-alone behavior and more walking, biking and transit use. We welcome the opportunity to work with the City of Austin, the developer and other interested stakeholders in developing and refining mobility solutions for this development.

If you have questions or need more information, please let me know.

Todd Hemingson, AICP  
V.P. Strategic Planning & Development  
Capital Metro



## MEMORANDUM

**TO:** Assistant City Manager Robert Goode

**FROM:** Rodney Gonzales, Director, Development Services Department  
Robert Spillar, Director, Austin Transportation Department

**DATE:** September 9, 2016

**SUBJECT:** Process for the review of the Proposed Grove Development

*Rodney Gonzales*  
*Robert Spillar*

---

The purpose of this memorandum is to address questions and concerns expressed by members of City Council regarding the review process undertaken for the Grove at Shoal Creek Planned Unit Development (PUD).

A Traffic Impact Analysis (TIA) is both a planning and technical document that incorporates the forecasting of future transportation conditions and the implementation of traffic mitigation measures. Applications for zoning changes require the submission of a TIA if the resulting change in land uses or density will result in an increase of more than 2,000 trips per day. The TIA describes the potential impacts of a proposed development on the transportation system within the area of the proposed zoning change. The TIA also includes proposed traffic mitigation measures that could be implemented to offset the potential impacts on the transportation system. The role of both the Development Services Department (DSD) and Austin Transportation Department (ATD) is to review and scrutinize the TIA and to assess the potential development impacts and proposed mitigation as part of the zoning change request application.

### Establishment of Improvements

During the change of zoning application, it is appropriate to only review conceptual designs of the proposed development and traffic mitigation measures. At this stage of the proposed development, it is financially imprudent for the project applicant to spend the time and money to bring forward site specific details. The information from conceptual designs is sufficient to model future improvements and mitigation proposals. The conceptual designs show the overall approximate configurations and geometry of proposed improvements based on site record information and identify the locations of significant constraints such as existing right-of-way widths. The conceptual designs are utilized as the basis for future construction documents to implement the traffic mitigation measures. The construction documents are reviewed for approval through the City's Site Development Permit process.

### Site Development Permit Process

The City of Austin's Site Development Permit process includes a multi-department and multi-disciplinary review of detailed engineering construction documents to ensure project compliance with adopted City of Austin Codes and Ordinances. As part of the final engineering design process, conceptual designs proposed within the TIA are refined to accommodate constraints identified by current as-built site surveys and compliance with code and criteria. The as-built surveys provide site specific details including tree, topographic, utility locations, and right-of-way. The Site Development Permit process is coordinated by DSD. Projects that propose the implementation of mitigation improvements are reviewed by the DSD transportation review team, the ATD transportation review team, and where applicable, the Texas Department of Transportation, Travis County, and Williamson County.

### Transportation Review Process

The Austin Transportation Department (ATD) has received questions and concerns related to the process for review of Transportation Impact Statements (TIA) by the office of the City Traffic Engineer and staff in the Department. ATD has provided a separate memorandum related to the technical issues raised and the following subsections respond to procedural issues.

- Senior Management Participation:

Senior management in the Austin Transportation Department (ATD) participated directly in the review of the Grove TIA. A concern has been voiced that senior staff somehow suppressed or discounted the opinions of junior or “front line” engineers in an effort to support the claims of the developer. The implication is that senior staff are less qualified than front line staff to analyze and determine appropriate mitigation for traffic impacts identified in the developer’s Traffic Impact Analysis (TIA).

ATD was formed in 2008. As part of that formation, ATD inherited various elements and responsibilities of the One Stop Shop Development Services unit related to mobility. Right-of-way management transitioned to ATD and we provide technical support through the one stop shop for review and analysis of development impacts to the physical right-of-way. Likewise, transportation related analyses (whether made in Development Services or directly by ATD transportation engineering reviewers) are made under the authority of the City Traffic Engineer which resides within ATD. The City Traffic Engineer position is identified by the City Charter as the office with authority to make operational recommendations and administrative decisions within the city related to mobility. Since the formation of ATD, registered engineers in ATD have increasingly taken responsibility for detailed review of TIAs, especially when significant elements of the Austin transportation network are potentially affected (i.e., critical arterials, access to major regional corridors such as IH 35 and MoPAC, and the Capital Metro Transit system). ATD assists in all TIAs and Development Service reviews, but is most involved when the anticipated project may result in more complicated transportation issues. In the past several years, as ATD has gained sufficient staffing in the traffic engineering division, we have been able to apply the appropriate oversight for those projects requiring greater scrutiny of their TIAs.

ATD maintains a documented organizational structure. Front line engineers report to division managers; division managers to assistant directors; and all perform their responsibility under the supervision and authority of the City Traffic Engineer. The Director of Transportation is designated by the City Manager as the official City Traffic Engineer. All decisions and communications by individuals within the department are made on behalf of the City Traffic Engineer and under his/her delegation of responsibilities. Complicated projects, including ones that draw the attention of City policy makers, are elevated in ATD to assure that the City Traffic Engineer is fully vested in the position being taken. Historically, this has been true on high profile projects such as the Triangle and Mueller Redevelopment Project. More recently, this was the case for the Garza Tract and now the Grove where the City Traffic Engineer participated in the review and determination of the appropriate response.

The City Traffic Engineer chose to increase senior management involvement in the Grove project because of the sensitivity of the issues related to traffic and after council offices expressed concerns with the project and review process. It is more appropriate for the City Traffic Engineer (Director) to respond to Council questions and public inquiries on controversial developments rather than front line staff so that junior staff are shielded from public pressure and can perform their best technical work. This allows junior staff to make recommendations to the City Traffic Engineer

based on their technical insights. The process does however mean that the official opinion is formed through a cumulative consensus building process. Senior staff, all of whom are registered engineers in the State of Texas, have the responsibility of recommending to the City Traffic Engineer a course of action so the City Traffic Engineer may recommend a course of action to the City Manager.

In the case of the Grove, the internal technical discussions have resulted in healthy debate of the various elements related to mobility. It is rare that a City is presented with the redevelopment of nearly 70 acres of vacant land within an established urban neighborhood. It is clear that any development of the Grove property will result in dramatically changed traffic generation and travel patterns than exist today. No doubt, properties immediately adjacent to the existing vacant property will see the greatest changed conditions compared to the remainder of the surrounding neighborhood. Taking the competing needs of the existing community and those of the developer into consideration, it is the responsibility of the City Traffic Engineer to determine if the project proposal adequately mitigates the mobility impacts it is likely to cause. If that development, like the Grove, is within an existing urban neighborhood where travel conditions are already congested, the responsibility to mitigate the project impacts remains a requirement of the development. A proposed development is not required to remedy existing deficiencies, only to mitigate traffic generated by the project. If a proposed development can present a plan through a TIA that demonstrates it adequately mitigates that development's impacts, then it is the duty of the City Traffic Engineer to make a positive recommendation to Council.

- **Front-Line Staff Comments:**

An e-mail from a front line engineer in ATD to the Manager of the Traffic Engineering division has been used to speculate that there is a difference in opinion between front line staff and senior management at ATD (see attached March 22 e-mail). The e-mail refers to comments made by the staffer and other front-line staff in a draft memorandum dated March 22<sup>nd</sup> that was drafted by the front line engineers but not sent to the developer. The DRAFT memo from the front line staff included what was observed to be information/requests appropriate for the zoning discussion and other comments that were more appropriate for the design review. The front line staff engineer was uncomfortable with the information that was going to be withheld from transmittal until the more detailed phase of the review process and wanted his name removed from the communication. Subsequent discussions between front line staff and engineering management suggest that the reason for the concern was that front line staff did not have the understanding that developments going through both the zoning and the site development process receive ATD scrutiny at both phases of development and that it was the intent of the City Traffic Engineer to require ATD review of the site plan level mitigation designs.

All concerns and comments raised by the front line engineers were in fact communicated to the developer or his agents over the course of the summer, except for one related to addressing existing grass triangles at the corner of 45<sup>th</sup> and Bull Creek (i.e., a comment intended to correct an existing design deficiency – not a zoning issue). The table below provides the cross reference between the points raised by the front line engineers and those transmitted to the developer.



### Cross Reference Table

March 22, 2016 DRAFT front line engineering recommendation	Communication to developer
TIA comment 1 related to Bull Creek and 45 <sup>th</sup> Street	Transmitted to developer June 28, 2016, TIA comment 1
TIA comment 2 related to concrete safety barrier along Bull Creek Rd.	Transmitted to developer June 28, 2016 TIA comment 10
TIA comment 3 related to 14% traffic on Jackson Street	Transmitted to developer June 28, 2016 TIA comment 2
TIA comment 4 related to transit headways	Transmitted to developer March 25, 2016 TIA comment B
Bull Creek Rd/45 <sup>th</sup> Street comment related to design of sidewalk and space for signal cabinet	This is a minor design comment. At a March 22 <sup>nd</sup> meeting with the developer, the developer agreed to the higher mitigation participation and to all mitigation requirements – regardless of final cost, including the remedy of existing identified deficiencies in the intersections they are reconstructing.
Bull Creek Rd Item 1 related to PHB and crosswalks at driveway 1	Transmitted to developer June 28, 2016 TIA comment 3
Bull Creek Rd Item 2 related to traffic signal, crosswalk at driveway 2	Transmitted to developer June 28, 2016 TIA comment 5
Bull Creek Rd Item 3 related to refuge island driveway 4	Transmitted to developer June 28, 2016 TIA comment 7
Bull Creek Rd Item 4 related to PHB at driveway 4	Transmitted to developer June 28, 2016 TIA comment 8
Bull Creek Rd Item 5 related to 167' taper south of driveway 4	Transmitted to developer June 28, 2016 TIA comment 9

(See Memorandums, attached)

As can be seen from the cross reference table, all recommendations raised by front line engineers were communicated to the developer. Furthermore, in a June 28, 2016 transmittal to the developer, it was clearly communicated to the developer that staff reserved the right to review the development mitigation measures at the site plan review and approval stage of development (See Jeff Howard Memorandum, June 28, 2016). Referring to geometric elements of the proposed mitigation concepts, the notice reads “These elements may affect site plan review and approval as they are considered integral to the viability of the subject development as proposed.”

From a management perspective, we believe and maintain that the process was transparent and provided sufficient time for all levels of the organization to be heard and involved in the process. Participation at all levels of the organization was facilitated and there was no truncation of the process. As Directors responsible for the One Stop and development services, we stand behind the cumulative recommendation that represents the input of both junior and senior staff (all of whom are registered professional engineers).

- **Traffic Phasing Agreement:**

The Grove is a unique development in that it was previously owned by the State of Texas and therefore had no zoning prior to its sale. The developer has proposed Planned Unit Development (PUD) zoning so that they can have greater assurances as to their final investment. Once zoning is established, PUD or otherwise, the development will then move to the site development stage. Staff review of the mobility attributes occurs at both stages of development, zoning and site development. At the zoning stage of development, it is incumbent on the developer to show



plausible concepts to mitigate the estimated transportation impacts caused by the development. They are required to provide a proof of concept for mitigation. Perfection of those mitigation concepts occurs during final design. At the site development phase, design-tested mitigation solutions are presented to support the concepts proposed during zoning.

As part of the Grove TIA, a traffic phasing agreement is included as an integral part of the recommendation. The traffic phasing agreement becomes part of the restrictive covenant on the property. The phasing report describes specific traffic outcomes that are to be achieved prior to the attainment of certain development rights and milestones. As the project enters the project development phase, and if additional design level traffic mitigation is determined to be needed, the City Traffic Engineer has the right to demand those modifications. In other words, the developer is locked into the mitigation concept included in the recommended TIA and has to demonstrate through geometric design that the development can achieve the mitigation levels prior to receiving a site development permit. Because the site plan must be approved prior to the start of construction, the City maintains its authority and leverage over the development to achieve the necessary mitigation.

- Determination of Traffic Mitigation:

The amount of mitigation required of a development must be commensurate with its impact on the system. This principal is known as rough proportionality and requires each development to pay its roughly proportionate amount of the cost of improvements needed for the surrounding networks (as determined by the City Traffic Engineer). Funding from this calculation can only be used on new capacity improvements.

The city is also bound by historical practices with regards to establishing developer participation rates. The local practice of pro rata share has been used for decades in setting mitigation levels and has often resulted in lower levels of developer participation as compared to the calculated rough proportionality.

When the Grove development was first presented to ATD reviewers for consideration, the developer approached it from the pro rata share perspective, yielding an offer of just \$750 thousand in proposed mitigation. Because of the diligence of ATD review staff, mitigation proposed as part of the recommended TIA is nearly \$3.2 Million and includes major improvements to Bull Creek Road, a new public street through the development, bicycle improvements, a major multi-purpose trail connection across Shoal Creek, and many safety enhancements. This increased level of mitigation (four times what would normally have been accepted in previous development review processes) is directly the result of coordinated review effort by front-line and management staff throughout the process. The increased commitment funding for mitigation by the developer and resulting from the more involved process is evidence of this.

As part of the PUD process it is typical to require a developer to donate the right-of-way necessary for mitigation at the time of PUD designation. However, when the necessary right-of-way is not currently owned at the time of PUD designation by the developer, the developer can be allowed to proceed at his/her financial risk. In the case of the Grove, the developer can proceed at his/her own risk that they will not obtain the necessary right-of-way to complete the identified mitigation project and therefore be subject to the elements of the phasing agreement (i.e., in the specific case of the Grove, they could build up to the 2000 vehicle trips without the necessary mitigation and right-of-way, but without the mitigation they would not be able to develop beyond the 2000 vehicle trip limit.

If for whatever reason a developer cannot achieve the mitigation promised in an approved TIA, the developer may propose alternate designs or alternative delivery methods to achieve the level of required mitigation, but the traffic impacts must still be mitigated for the development to be realized. The bar is set high to match or improve upon the mitigation offered in the original TIA.

- **SYNCRO Files:**

A question has been raised related to denial of access to SYNCRO modeling files used in the development of the TIA.

As part of the City's standard review process, the Transportation Department requests SYNCRO traffic simulation files from developers when they prepare a TIA. The SYNCRO files contain data that is used to develop the traffic simulation model in the TIA.

As you know, the City received a public information act request for the SYNCRO files, among other things. The Developer's traffic engineer informed the City that he did not want to release its SYNCRO file data because it is proprietary information.

When the City receives a public information act request for information created and submitted to the city by outside companies, and they object to its release, the City must write to the Attorney General and request permission to withhold the requested documents. That is what happened in this situation. On March 15, 2016 the City advised the Attorney General that the information was being requested and asked for a determination whether the information should be withheld from release.

On March 20, 2016 the Office of the Texas Attorney General ruled that the information embodied by the coding in the SYNCRO file could be withheld from release under the public information act. While the City is able to supply conclusions based on the modeling and tabulations of input and output data, the City may not release the underlying electronic SYNCRO networks and other coding specifics. Any public release of this information is solely at the discretion of the Developer's traffic engineer.

- **March 22, 2016 Meeting:**

Concerns have been expressed by a Council office regarding this meeting. This meeting has been described in a previous memo distributed on May 9, 2016 (attached). The meeting provided an opportunity for senior staff, including the City Traffic Engineer, to confirm issues that remained unresolved such as the connection of Jackson Street with 45<sup>th</sup> Street. All issues resolved at this meeting were informed by the work completed by front line staff and based on the collective knowledge of the participating departments.

- **Unsigned Memorandums:**

Concerns have been expressed by Council offices regarding memorandums produced by ATD staff in regards to review comments that did not carry the signature of the engineer responsible for the communication.

Attached are the two memorandums specifically raising concern for Council offices. In preparing this response, authors of both communications were consulted (Gordon Derr and Eric Bollich with regards to the 6/28/16 memo; Andrew Linseisen and Gordon Derr with regards to the 7/11/16 joint internal memorandum).

The 6/28/16 memorandum to the developer indicates that the communication is from the Austin Transportation Department. It was coordinated and compiled by ATD's transportation engineering division and should have carried the name or signature of that Division Manager, Eric Bollich, as the author so that we could better track the communication. However, the communication was part of the on-going negotiation of mitigation measures and evaluation issues with the developer. This memo was accompanied with a verbal communication as well and the information was successfully transmitted.

State Law and City Policy do not require such a memorandum to be signed by a registered engineer. The letter represents a negotiations letter where the City staff member, on behalf of the City Traffic Engineer, is working through the definition of the needed mitigation and elements of the proposed Grove improvements. The completed Traffic Impact Analysis (TIA) dated March 28, 2016, represents the engineering document that requires a professional seal from the engineer of record (in this case, the developer's engineer). The City's acceptance of the TIA with identified modifications will be memorialized by Council action.

The 7/11/16 internal memorandum to the case manager at PAZ clearly indicates the two registered engineers from whom the communication was sent. The communication was sent via internal city e-mail. Our understanding is that there is no city policy that requires such electronic memorandums to be signed, nor is there a state law that requires such a memorandum to be signed. The original communication was coordinated through Andy Linseisen and sent by him electronically, after he had received confirmation from Gordon that he approved. This memorandum does not represent a record of an engineering opinion. It is part of the negotiations record expressing the needs of the City. As with the previous memo, the engineering record is established when the TIA is sealed by the developer's engineer and then memorialized by Council action.

The Transportation Director recognizes that it is a superior practice to sign external communications. Internal communications that may be transmitted to an external customer would also benefit from signature. The Transportation Director will be reviewing departmental practices and procedures to make this our standard in ATD.

### Attachments

- Andre Betit email, March 22, 2016
- Bryan Golden Memorandum, March 22, 2016
- Brian Williams/James Schwerdtfeger Memorandum, March 25, 2016
- Jeff Howard Memorandum, June 28, 2016



**From:** Betit, Andre  
**Sent:** Tuesday, March 22, 2016 2:48 PM  
**To:** Bollich, Eric  
**Cc:** Craig, Brian  
**Subject:** RE: revised comments memorandum on The Grove TIA

Eric,

As we discussed, please remove my name from the memo.

Thanks,

André

André H. Betit, Jr, PE  
Engineer C  
1501 Toomey Rd.  
Austin, TX 78704

Office: (512) 974-4091  
Fax: (512) 974-4068  
[Andre.Betit@austintexas.gov](mailto:Andre.Betit@austintexas.gov)

**From:** Bollich, Eric  
**Sent:** Tuesday, March 22, 2016 1:43 PM  
**To:** James, Scott <Scott.James@austintexas.gov>; Linseisen, Andrew <Andrew.Linseisen@austintexas.gov>; Adams, George <George.Adams@austintexas.gov>  
**Cc:** Barua, Upal <Upal.Barua@austintexas.gov>; Golden, Bryan <Bryan.Golden@austintexas.gov>; Craig, Brian <Brian.Craig@austintexas.gov>; Borkar-Desai, Dipti <Dipti.Borkar-Desai@austintexas.gov>; Beaudet, Annick <Annick.Beaudet@austintexas.gov>; Derr, Gordon <Gordon.Derr@austintexas.gov>; Betit, Andre <Andre.Betit@austintexas.gov>  
**Subject:** RE: revised comments memorandum on The Grove TIA  
**Importance:** High

We (Andy, George, Gordon, Annick) met this morning and discussed the Grove issues and our comments. We have a meeting **this afternoon at 4:00** with the applicant team to talk through our comments. So please review that I've captured them correctly and offer comments ASAP.

**From:** Betit, Andre  
**Sent:** Tuesday, March 22, 2016 9:09 AM  
**To:** James, Scott; Bollich, Eric; Linseisen, Andrew  
**Cc:** Barua, Upal; Golden, Bryan; Craig, Brian; Borkar-Desai, Dipti  
**Subject:** RE: revised comments memorandum on The Grove TIA

All,

I do not feel we should change the ATD memo to remove the comments as I am do not believe we will see this once it passes the zoning stage and these geometric issues are critical.

Thanks,

André

André H. Betit, Jr, PE  
Engineer C  
1501 Toomey Rd.  
Austin, TX 78704

Office: (512) 974-4091  
Fax: (512) 974-4068  
[Andre.Betit@austintexas.gov](mailto:Andre.Betit@austintexas.gov)

**From:** James, Scott  
**Sent:** Tuesday, March 22, 2016 8:53 AM  
**To:** Bollich, Eric <[Eric.Bollich@austintexas.gov](mailto:Eric.Bollich@austintexas.gov)>; Linseisen, Andrew <[Andrew.Linseisen@austintexas.gov](mailto:Andrew.Linseisen@austintexas.gov)>  
**Cc:** Betit, Andre <[Andre.Betit@austintexas.gov](mailto:Andre.Betit@austintexas.gov)>; Barua, Upal <[Upal.Barua@austintexas.gov](mailto:Upal.Barua@austintexas.gov)>; Golden, Bryan <[Bryan.Golden@austintexas.gov](mailto:Bryan.Golden@austintexas.gov)>; Craig, Brian <[Brian.Craig@austintexas.gov](mailto:Brian.Craig@austintexas.gov)>; Borkar-Desai, Dipti <[Dipti.Borkar-Desai@austintexas.gov](mailto:Dipti.Borkar-Desai@austintexas.gov)>  
**Subject:** revised comments memorandum on The Grove TIA

Andy and Eric,

Good morning, please find attached two revised memoranda for staff comments on The Grove submittal.

They are in DRAFT form and reflect recent discussions on how to amend the comments that are more related to geometric elements (and not necessarily addressed at zoning).

However, I have concerns (shared by both André and Upal), that the staff review of the geometric elements will not occur at site plan, at least not at the same level of scrutiny. Therefore, staff comments on the need for adequate ROW to permit for turning lanes, storage lanes, transitions from at grade to shared use path, etc are valid, even though detailed site design will be handled separately from the zoning application.

With this in mind, I propose to include the general comment:

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

This comment may be listed in either DSD or ATD's memo, perhaps both.

Please advise.

Thanks.

Scott

Scott A. James, P.E., PTOE  
Land Use Review | Transportation  
Development Services Department  
505 Barton Springs Road, 4<sup>th</sup> Floor

Desk line (512) 974 - 2208





# MEMORANDUM

## DRAFT

To: Bryan Golden  
Development Services Department

Date: March 22, 2016

Project: The Grove At Shoal  
Creek

CC: Scott A. James, PE

From: André H. Betit, Jr. PE  
Brian Craig, PE  
Upal Barua, PE  
Austin Transportation Department

Re: TIA Comments  
(February 2, 2016)

Page: 1 of 2

The Arterial Management Division has reviewed the February 2, 2016 revision of the traffic report regarding the "*The Grove at Shoal Creek, Traffic Impact Analysis*", prepared by R-K Traffic Engineering, LLC. The following comments summarize our review findings:

### TIA Comments:

1. The 2018 analysis does not include the full build out of the Bull Creek and 45<sup>th</sup> street intersection. It is our understanding that this intersection will be fully built out prior to completion Phase 1 of the development. We recommend that the Applicant confirm that this intersection will be constructed at the completion Phase 1 of the development.
2. It is unclear from the information contained in the TIA as to when the concrete safety barrier is constructed along Bull Creek Road in association with the bike lane. In addition, it is our understanding that the Applicant will be installing this barrier when Bull Creek Road is reconstructed to provide the other proposed improvements.
3. **Repeat comment ATD7** - It appears from the information provided in the TIA that 14% of the site generated volumes will use Jackson Street. This site generated traffic will more than double the total traffic volume on Jackson Street. However, it does not appear that mitigation has been proposed along Jackson Street to address this increase in traffic. We recommend that the Applicant develop mitigation measures to address this issue.
4. The TIA indicates as part of the transit assumptions that in order for the allowed 5% transit reduction to be appropriate, bus headways need to be decreased from one hour to 10 minutes. It is unclear however if the Applicant has discussed this reduction in headway with Cap Metro. We recommend that the Applicant work with Cap Metro to achieve the necessary reduction in bus headways for the 5% reduction to be allowed. If this is not attainable, the analysis will need to be revised for the higher number of trips.



**Bull Creek Road/45<sup>th</sup> Street Intersection Plan – Option 1: - Not recommended**

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

**Bull Creek Road/45<sup>th</sup> Street Intersection Plan – Option 2: - preferred option**

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

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

1. The PHB, crosswalks and landings are not shown at Driveway 1. Please show this information.
2. The traffic signal, crosswalks and landings are not shown at Driveway 2/Jackson Street. In addition, no information is shown on Jackson Street related to length of turn lanes and tapers. Please show this information.
3. The pedestrian refuge island show at Driveway 4 does not appear to have offsets to the travel lanes provided. We recommend that one foot (1') minimum offsets be provided.
4. The PHB, crosswalks and landings are not shown at Driveway 4. Please show this information.
5. The 167' lane taper south of Driveway 4 appears to be too short. In addition, it is unclear how the improvements south of Driveway 4 will match the existing conditions, including how the existing northbound bicycle lane will transition onto the multi-use path. Please show this information.



**Date:** March 25, 2016

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

**CC:** Sherri Sirwaitis, Case Manager

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

---

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

#### **GENERAL COMMENTS**

- A. Written approval from the Texas Department of Transportation (TxDOT) of the proposed Traffic Phasing Agreement is required for the proposed PUD as various state-maintained roadways are bordering the PUD area.
- B. Pedestrian crossings should be identified and paired with the (proposed) location of transit stops. Provide map showing location(s) of transit stops (current and proposed). The TIA allows for a 5% transit reduction, assuming bus headways are decreased from current service levels. Applicant to provide final written confirmation from CapMetro that current and future services levels on Bull Creek Road will support the 5% transit reduction as presented in the TIA prior to final Council approval.
- C. Comment cleared.

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

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



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

DSD2. Comment cleared.

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

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

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

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

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

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

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

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

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

The Applicant will post fiscal with the City of Austin for the construction of a bicycle and pedestrian bridge crossing Shoal Creek enabling a trail connection from the site to Shoal Creek Blvd. The amount of the fiscal shall be based on the Applicant's approved engineering cost estimate. Subject to City approval of the proposed bridge location (the City considering environmental, connectivity and other factors) the Applicant will construct the bridge and trail. If the City of Austin or the applicant is unable to secure an easement to allow for the construction of said bridge, the posted fiscal may be utilized by the City to complete other bicycle and pedestrian improvements in the area. The Applicant further agrees to provide easements for future bicycle and pedestrian bridge crossings at both the northern and southern portions of Shoal Creek, whether or not the bridge described above is constructed.

Austin Transportation Department:

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

- ATD1. Comment cleared per Option 2 diagram provided.
- ATD2. Comment cleared per Option 2 diagram provided.
- ATD3. Comment cleared per Option 2 diagram provided.
- ATD4. Comment cleared per Option 2 diagram provided.
- ATD5. Comment cleared per Option 2 diagram provided.
- ATD6. Comment cleared.
- ATD7. Repeat comment - Projected volumes onto Jackson Avenue require mitigation measures along Jackson Avenue.
- ATD8. Comment cleared.
- ATD9. Comment cleared per Bull Creek Road diagram provided.
- ATD10. Comment cleared.

ATD11. Comment cleared.

ATD12. Comment cleared per Option 2 diagram provided.

ATD13. Comment cleared per Option 2 diagram provided.

ATD14. Comment cleared per Option 2 diagram provided.

ATD15. Comment cleared per Option 2 diagram provided.

ATD16. Comment cleared per Option 2 diagram provided.

ATD17. Comment cleared per Bull Creek Road diagram provided.

General Comment

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

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

A handwritten signature in black ink, appearing to be 'AL' followed by a long horizontal stroke.

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

Attachment





## MEMORANDUM

**TO:** Mayor and Council

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

**DATE:** May 9, 2016

**SUBJECT:** Grove at Shoal Creek Traffic Impact Analysis

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

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

### **TIA Review Process and March 22, 2016 Meeting with Applicant**

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

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

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

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

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

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

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

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

#### **Public Street Connection to W. 45<sup>th</sup> Street**

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

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

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

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

#### **Additional Questions Asked by the Community**

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

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

#### **Additional Analysis Requested by Council Member Pool**

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

##### **Analysis of Jackson Avenue Connection to W. 45<sup>th</sup> Street**

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

##### **Full Build-Out Analysis of Jackson Avenue**

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

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

#### Adequate Right-of-Way for Improvements Proposed to the Intersection of W. 45<sup>th</sup> and Bull Creek Road

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

#### TIA Phasing Agreement to be presented to ZAP

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

#### Proposed Bridge over Shoal Creek

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

#### Median on Bull Creek Road at Oakmont Boulevard

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

#### Examples of other Street Widening

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

#### **Next Steps**

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



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

**Attachments:**

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

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

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

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

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

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

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

- 4) Providing trail connectivity to Ridglea Greenbelt.

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

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

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

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

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

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

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

- 12) Minimum geometric criteria for internal streets.

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

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

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



**Date:** March 25, 2016

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

**CC:** Sherri Sirwaitis, Case Manager

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

---

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

#### **GENERAL COMMENTS**

- A. Written approval from the Texas Department of Transportation (TxDOT) of the proposed Traffic Phasing Agreement is required for the proposed PUD as various state-maintained roadways are bordering the PUD area.
- B. Pedestrian crossings should be identified and paired with the (proposed) location of transit stops. Provide map showing location(s) of transit stops (current and proposed). The TIA allows for a 5% transit reduction, assuming bus headways are decreased from current service levels. Applicant to provide final written confirmation from CapMetro that current and future services levels on Bull Creek Road will support the 5% transit reduction as presented in the TIA prior to final Council approval.
- C. Comment cleared.

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

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



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

DSD2. Comment cleared.

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

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

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

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

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

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

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

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

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

The Applicant will post fiscal with the City of Austin for the construction of a bicycle and pedestrian bridge crossing Shoal Creek enabling a trail connection from the site to Shoal Creek Blvd. The amount of the fiscal shall be based on the Applicant's approved engineering cost estimate. Subject to City approval of the proposed bridge location (the City considering environmental, connectivity and other factors) the Applicant will construct the bridge and trail. If the City of Austin or the applicant is unable to secure an easement to allow for the construction of said bridge, the posted fiscal may be utilized by the City to complete other bicycle and pedestrian improvements in the area. The Applicant further agrees to provide easements for future bicycle and pedestrian bridge crossings at both the northern and southern portions of Shoal Creek, whether or not the bridge described above is constructed.

Austin Transportation Department:

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

- ATD1. Comment cleared per Option 2 diagram provided.
- ATD2. Comment cleared per Option 2 diagram provided.
- ATD3. Comment cleared per Option 2 diagram provided.
- ATD4. Comment cleared per Option 2 diagram provided.
- ATD5. Comment cleared per Option 2 diagram provided.
- ATD6. Comment cleared.
- ATD7. Repeat comment - Projected volumes onto Jackson Avenue require mitigation measures along Jackson Avenue.
- ATD8. Comment cleared.
- ATD9. Comment cleared per Bull Creek Road diagram provided.
- ATD10. Comment cleared.

ATD11. Comment cleared.

ATD12. Comment cleared per Option 2 diagram provided.

ATD13. Comment cleared per Option 2 diagram provided.

ATD14. Comment cleared per Option 2 diagram provided.

ATD15. Comment cleared per Option 2 diagram provided.

ATD16. Comment cleared per Option 2 diagram provided.

ATD17. Comment cleared per Bull Creek Road diagram provided.

General Comment

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

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

A handwritten signature in black ink, appearing to be 'AL' followed by a long horizontal stroke.

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

Attachment



# MEMORANDUM REVISED

To: Jeff Howard  
McLean & Howard, LLP

Date: June 28, 2016

Project: The Grove At Shoal  
Creek

CC: Andrew Linseisen, P.E.  
Development Services Department

Sherri Serwaitis  
Planning and Zoning Department

From: Austin Transportation Department

Re: Review Comments

The Austin Transportation Department has reviewed the March 28, 2016 (received June 16, 2016) traffic report regarding the *"The Grove at Shoal Creek, Traffic Impact Analysis"*, prepared by R-K Traffic Engineering, LLC. The proposal calls for constructing 110 Single Family Homes, a 600 unit apartment building, 425 condo/townhouse dwelling units, a 600 room congregate care facility, 225,000 SF of office, 55,000 SF of shopping center, a 35,000 SF supermarket, plus additional uses. The development would be constructed between Bull Creek Road, Shoal Creek and 45<sup>th</sup> street. The following comments summarize our review findings:

## **Unresolved Traffic Impact Analysis (TIA) Comments**

### **Analysis Comments**

1. The 2018 analysis, as presented in the TIA, does not include the following:
  - Full build out of the Bull Creek Road and West 45th Street intersection
  - The improvements at the Bull Creek Road/Driveway 1 intersection
  - The improvements at the Bull Creek Road/Jackson Avenue intersection
  - The improvements at the Mopac/45<sup>th</sup> Street intersection
  - The improvements at driveways 2 through 5 along Bull Creek Road

This analysis was however included in the 2024 analysis. Based on the information provided in the current revision of the TIA, ATD understands that these intersection improvements will be fully built out prior to completion of Phase 1 of the development (see other comments below). Please clarify if otherwise.

2. **Repeat Comment ATD7 from March 2016:** It appears from the information provided in the TIA that 14% of the site generated volumes will use Jackson





Avenue. This site generated traffic will significantly increase traffic volume on Jackson Avenue. However, mitigation has not been proposed along Jackson Avenue to address this increase in traffic. We recommend that when a signal warrant study is conducted by the Applicant for the signal at Jackson Avenue and Bull Creek Road, the Applicant also study Jackson Avenue to determine whether mitigation is needed address the increase in traffic.

### **Geometric Comments**

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

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

1. ATD had conceptually accepted the concept plan (Option 2) at the intersection of 45 Street/ Bull Creek Road, submitted by the Applicant, dated December 15, 2015 (as per Transmittal, dated March 25, 2016).

ATD recommends that acquisition of all necessary ROW (as proposed in the Plan – Option 2 submitted by the Applicant) and construction of the intersection at 45 Street / Bull Creek Road according to the plan be one of the conditions of approval of the PUD.

ATD also recommends that the Applicant provide documentation that this, and all other ROW, has been obtained to allow construction of the proposed improvements at this location as proposed.

2. The northbound right turn is too narrow to allow for a WB-50 design vehicle to make the turn. The lane should be widened by shifting the outermost curb and not the island curb line.
3. The northern curb face of the pork-chop island must be offset by two (2) feet from the travel lane for eastbound traffic.
4. On the eastbound approach, the 100 feet approach taper is insufficient in length. The taper should be lengthened by narrowing the painted island.
5. The concept plan shows four (4) feet wide sidewalk on the northwest of the intersection along 45<sup>th</sup> Street. All sidewalks must be minimum five (5) feet wide.

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

1. It is unclear at this time if sufficient ROW will be obtained for the proposed improvements along Bull Creek Road. In addition, since there are a number of comments regarding the proposed design along Bull Creek Road, it is unclear if



the total ROW needed has been adequately identified, particularly at the PHB locations and the traffic signal at Jackson Avenue. If this ROW is not obtained there is concern that the proposed improvements along Bull Creek Road will not be able to be constructed.

ATD requests that the Applicant provide verification that the required ROW along Bull Creek Road, has been dedicated/obtained to allow construction of the proposed improvements at this location as proposed.

2. Tapers shown between the back-to-back turn lanes are insufficient in length. A single taper between the two turn lanes should be provided.
3. The PHB, crosswalks and landings are not shown at Driveway 1. Please show this information.
4. The 185 feet taper on the northbound left turn approach to Jackson Avenue is insufficient in length. Lengthen the taper and narrow the painted island.
5. The traffic signal, crosswalks and landings are not shown at Driveway 2/Jackson Avenue. In addition, no information is presented on Jackson Avenue related to length of turn lanes and tapers. Please present this information.
6. Between Driveway 5 and Driveway 4, the Applicant is proposing a 10-foot wide southbound lane, 11-foot wide lane northbound with a 9-foot wide shoulder. ATD recommends that the Applicant provide 10-foot wide travel lanes including a center two-way left-turn lane.
7. The pedestrian refuge island shown at Driveway 4 does not appear to have offsets to the travel lanes as provided. We recommend that one foot (1') minimum offsets be provided.
8. The PHB, crosswalks and landings are not presented at Driveway 4 in the concept plan. Please present this information.
9. The 167' lane taper south of Driveway 4 appears to be too short. In addition, it is unclear how the improvements south of Driveway 4 will match the existing conditions, including how the existing northbound bicycle lane will transition onto the multi-use path. Please present this information.
10. It is unclear from the information contained in the TIA as to when the concrete safety barrier for the bicycle lane will be constructed along Bull Creek Road. The Applicant has indicated in conversations with ATD that the barrier will be installed when Bull Creek Road is reconstructed to provide the other proposed improvements listed in the TIA. The Applicant will include design plans of this barrier installation with the site plans for the development.



### **Vehicular Connection to 45<sup>th</sup> Street from Jackson Avenue Extension**

1. The Applicant provided traffic analysis for this proposed connection and included it in Appendix J of the TIA. However, the applicant didn't model full connection of Jackson Avenue from Bull Creek Road to 45<sup>th</sup> Street in Synchro. Also the TIA did not document how the diversion of the site trips and additional diverted trips (if any) were determined. We recommend that the Applicant review and provide justification of the diverted site trips and any additional diverted trips.
2. The site plan must include the proposed layout and cross section for the Jackson Avenue Extension from Bull Creek Road to West 45<sup>th</sup> Street. At the connection to West 45<sup>th</sup> Street, the cross section of Jackson Avenue should be wide enough to accommodate emergency vehicles. Bicycles and pedestrians should be accommodated as part of the complete streets policy.
3. Since no internal plans have been provided for the Jackson Avenue Extension from Bull Creek Road to 45<sup>th</sup> Street, we recommend that as part of the site plans for the development this roadway (called a driveway in the TIA) be designed such that a consistent cross-section, with bike lanes and sidewalks is provided between Bull Creek Road and 45<sup>th</sup> Street. In addition, we recommend that the design speed of this new roadway connection be 30 mph.
4. It is Austin Transportation Department's understanding that the Jackson Avenue Extension connection from Bull Creek Road to 45<sup>th</sup> Street shall be fully funded by the Applicant, including the PHB, as part of the improvements during the implementation of the 2018 improvements.
5. The Austin Transportation Department understands that the Applicant has purchased 2627 45<sup>th</sup> Street for ROW and additional ROW is being pursued along 45<sup>th</sup> Street which will be provided for this connection. Austin Transportation Department also understands that movements at this "new" intersection will be restricted to right in/right out only. Plans will need to show how turning movements will be restricted and which design vehicles can be accommodated. ATD requests that the applicant submit plans presenting these details at this proposed connection. If the additional ROW is not obtained we recommend that this access be limited to right-out only.



6. Advisory Comment: ATD had significant comments on the preliminary plan(s) previously submitted for this proposed new access (please submit plans as per comments 2, 3, and 4 above). The comments on the previously submitted plans are as follow:
  - a. The proposed splitter island is shown as 20.5' along 45<sup>th</sup> Street. This distance is insufficient to prevent vehicles from making an illegal left into the site or an illegal through movement from the site to Chiappero Trail. We recommend that the island be enlarged to prevent these movements.
  - b. The proposed splitter island is proposed to be constructed with type 1 mountable curb. We recommend that the island be constructed with non-mountable curb to prevent illegal movements.
  - c. The lanes on either side of the splitter island appear to be approximately 12'. We recommend that these lanes be widened to accommodate, at a minimum, a fire truck.
  - d. The Pedestrian Hybrid Beacon Signal on the west side of the proposed driveway is too close to the stop bar. This needs to be a minimum of 40' from the stop bar to allow for sight distance. We recommend that the design be modified to meet proper sight distance.

#### **Development Phasing Comments**

1. Based on the analysis presented in the TIA, all the improvements need to be constructed in 2018. The Applicant is requesting that these improvements be constructed when Phase 1 development reaches 2,000 vehicle trips per day. These improvements must be constructed when either the 110 single-family homes and half of the residential condominiums (188 units) or when all the residential condominiums (375 units) are complete. These intensities equate to the approximately 2,000 vehicle trips per day requested. It is our understanding that no construction on-site will occur beyond these units until all the improvements identified in the TIA for 2018 are complete. We recommend that these thresholds and restrictions be included in the Final TIA memorandum prepared by DSD and be one of the conditions of approval of the PUD.

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



September 12, 2016

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

*via email at [rob.spillar@austintexas.gov](mailto:rob.spillar@austintexas.gov)*

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

Dear Mr. Spillar:

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

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

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

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


Mr. Robert J. Spillar, P.E., Director  
Austin Transportation Department  
City of Austin  
September 12, 2016  
Page 2

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "J. Howard", written over a horizontal line.

Jeffrey S. Howard

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





## MEMORANDUM

**TO:** Assistant City Manager Robert Goode

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

**DATE:** September 12, 2016

**SUBJECT:** Proposed Grove Development  
Technical Analysis Report On Traffic Review Process



The purpose of this memorandum is to provide a technical analysis report of the Traffic Review Process performed under the supervision of the office of City Traffic Engineer and respond to specific questions asked of the analysis.

### Development Phasing:

The Grove is a unique development in that it was previously owned by the State of Texas and therefore had no City of Austin zoning prior to its sale. The developer has proposed Planned Unit Development (PUD) zoning so that they can have greater assurances as to their final investment. Once zoning is established, PUD or otherwise, the development will then move to the site development stage. Staff review of the mobility attributes occurs at both stages of development, zoning and site development. **At the zoning stage of development, it is incumbent on the developer to show plausible concepts to mitigate the estimated transportation impacts caused by the development. They are required to provide a proof of concept for mitigation. Perfection of those mitigation concepts occurs during final design.** At the site development stage, design-tested mitigation solutions are presented to support the concepts proposed at zoning.

As part of the Grove Traffic Impact Analysis (TIA), a traffic phasing agreement is included as an integral part of the recommendation. The traffic phasing agreement becomes part of the restrictive covenant on the property. The phasing report describes specific traffic outcomes that are to be achieved prior to the attainment of certain development rights and milestones. As the project enters the project development phase, and if additional design level mitigation is determined to be needed, the City Traffic Engineer has the right to demand those modifications. **In other words, the developer is locked into the mitigation concept included in the recommended TIA and has to demonstrate through geometric design that the development can achieve the mitigation levels prior to receiving a site development permit for each phase of construction. The phasing agreement requires installation of all mitigation prior to the development exceeding 2000 trips per day (below 2000 trips per day, the development may proceed without constructing mitigation per code allowances).** Because the site plan must be approved prior to the start of construction, the City maintains its authority and leverage over the development to achieve the necessary mitigation.

For example, the proposed mitigation at the intersection of Bull Creek with 45<sup>th</sup> Street will result in two left turn lanes, a through lane and a right turn lane with sidewalks and bicycle accommodations. This design as recommended in the TIA will likely require additional right-of-way on the southeast corner. It is typical to



require a developer to donate the right-of-way necessary for mitigation at the time of PUD designation. However, when the necessary right-of-way is not currently owned at the time of PUD designation, the developer can be allowed to proceed at his/her own risk. In the case of the Grove, the developer can proceed at his/her own risk that they will not obtain the necessary right-of-way to complete the identified mitigation project. The City is protected for the Grove project through the traffic phasing agreement which limits the development to 2,000 trips per day if the identified mitigation is not delivered.

If for whatever reason a developer cannot deliver the mitigation in the manner proposed in the TIA, the developer may propose alternate designs or alternative delivery methods to achieve the level of required mitigation identified in the TIA. The developer remains locked into the level of mitigation in terms of outcomes identified in the TIA (intersection performance, trip production, etc.), even if alternative methods are employed. This sets a high bar for substitution of any mitigation by the developer.

The amount of mitigation required of a development must be commensurate with its impact on the system. This principal is known as rough proportionality and requires each development to pay its roughly proportionate amount of the cost of improvements needed for the surrounding networks as determined by the City Traffic Engineer. Funding from this calculation can only be used on new capacity improvements that are determined to have a benefit to the development.

The city is also bound by historical practices with regards to establishing developer participation rates. The local practice of pro rata share has been used for decades in setting mitigation levels and has often resulted in lower levels of developer participation as compared to the calculated rough proportionality.

When the Grove development was first presented to ATD reviewers for consideration, the developer approached it from the pro rata share perspective, yielding an offer of \$750 thousand in proposed mitigation. Because of the diligence of ATD review staff, mitigation proposed as part of the recommended TIA is nearly \$3.2 Million and includes major improvements to Bull Creek Road, a new public street through the development, bicycle improvements, a major multi-purpose trail connection across Shoal Creek, and many safety enhancements. This increased level of mitigation is directly the result of the coordinated review effort by front-line and management staff throughout the process. All have been at the table throughout the process. There has been no truncating of any review process as has been alleged. The increased commitment funding for mitigation by the developer, resulting from the comprehensive involvement of both front line staff and management, is evidence that the process was complete and inclusive.

### Traffic Analysis:

As part of the staff review process, ATD traffic engineers reviewed trip generation, trip distribution and assignment, traffic operations, and preliminary geometrics:

- Trip Generation:  
Trip generation from the proposed development was reviewed to assure adherence to the trip generation rates for the proposed land uses, as approved through the TIA scoping process. Transit and non-motorized trip assumptions included in the TIA were reviewed during trip generation review and confirmed for validity. **It is my professional engineering opinion as the City Traffic Engineer that the trip generation documented in the recommended TIA is appropriate.**
- Traffic Distribution and Assignment:  
Trip distribution and network assignment of those trips identified for the proposed development were reviewed as part of the TIA analysis to verify the underlying assumptions were practical,

based on the location of the proposed development and existing adjacent transportation network. **It is my professional engineering opinion as the City Traffic Engineer that the traffic distribution and assignment assumptions documented in the recommended TIA are reasonable.**

- **Traffic Operations:**

Traffic operational analysis included in the TIA was reviewed by City staff. Traffic analysis included intersection capacity analysis (i.e., volume/capacity ratios, level of service calculations, vehicular delay, and queuing analysis at all intersections included within the scope of the TIA). Different traffic scenarios (AM and PM peak hours) were reviewed to identify the impact of the site traffic from the proposed development on the adjacent roadway network.

Mitigation improvements proposed to address traffic capacity issues were reviewed for adequacy based on the post development traffic analysis presented with the TIA. Review of proposed mitigations included optimization of signal timing at signalized intersections, additional turn-lanes at intersections, extension of turn bays to address potential queuing issues, additional traffic signals, and additional traffic control at driveways. Review of proposed mitigations were based on the post-development traffic analysis (volume/capacity ration, level of service, vehicular delay, and queuing analysis) for all the intersections as presented in the TIA scope. **It is my professional engineering opinion as the City Traffic Engineer that the traffic operations and resulting modifications to the transportation network adequately mitigate the mobility impacts of the development.**

- **Geometric Review:**

As part of the TIA review process, a geometric review was conducted to assess the proposed mitigations. A conceptual design of 45<sup>th</sup> Street at Bull Creek Rd intersection (Option 2 dated December 15, 2015) was submitted by the applicant (as per a developer transmittal, dated March 25, 2016) showing the proposed improvements at the intersection. The conceptual design included the use of potential right-of-way that is currently not owned by the developer.

The conceptual network design also includes the proposed alignment of a multi-use path east of Bull Creek Road (northbound) and an on-street protected bicycle facility in the southbound direction. Additionally, truck turning templates for the proposed northbound dual left turns at this intersection were reviewed.

Through the geometric review, the developer has made city traffic engineers aware of an existing geometric issue at the southeast corner of 45<sup>th</sup> Street and Bull Creek. Without the improvements proposed as mitigation by the developer, northbound single-unit panel trucks (the design vehicle used for analysis of truck maneuverability within the urban parts of Austin) cannot make a right turn and stay within their assigned lane. This creates the potential for crashes as the truck tries to maneuver around the substandard turning radius by intruding on adjacent or on-coming lanes. Although this situation exists throughout many of our older neighborhoods, identification of this deficiency now puts the city on notice of an existing network geometric safety issue that should be addressed. The geometric design at the intersection of 45<sup>th</sup> Street and Bull Creek, proposed by the developer, corrects the existing safety concern of the overly small right-turn turning radius. Since this is an existing condition, if the proposed mitigation is not achieved, it is incumbent on the City

Traffic Engineer to address the existing identified safety issue of insufficient turning radius for a single-unit vehicle to maneuver safely.

**In my professional engineering opinion as the City Traffic Engineer, the geometric improvements proposed in the recommended TIA are adequate to mitigate the impacts of the development.** Furthermore, implementation of the multi-use trail provides pedestrian east-west capacity that is constrained today on 45<sup>th</sup> Street.

### Technical Tools:

Questions related to technical process and tools have also been raised. These include the selection of land use based trip production rates documented in the TIA (TIA Table 1), questions related to the transit assumptions, extension of Jackson Street, and the submission of a TIA Amendment by the developer.

- SYNCRO Files:

As part of our standard review process, we request SYNCRO traffic simulation files from developers when they prepare a TIA. Professional traffic engineers, under the supervision and authority of the City Traffic Engineer request and analyze these files to verify the information summarized by the developer in the TIA. Staff also use the files to test assumptions and input information asked of the developer, and may generate an array of outcomes to consider before making a recommendation.

SYNCRO is a proven tool for analyzing traffic operations. The typical analysis approach is to first model existing conditions and then project a future “no-build” based on the existing condition network and funded transportation projects. The no-build condition represents the future transportation conditions in the absence of the proposed development (i.e., a no-build scenario). The future “build condition” model runs represent the future transportation conditions with the proposed development in place (i.e., after the development is built). Traffic projections for the build condition is compared to the no-build condition. Differences between the build and no-build condition define the projected impacts caused by the development. These estimates of impacts are used by licensed engineers to plan and design mitigation for the development. Input assumptions to the SYNCRO modeling tool are based on professional engineering guidelines such as the *ITE Trip Generation Manual*, and professional judgement.

SYNCRO is simply a tool used by transportation reviewers to form a professional opinion. Input assumptions as well as output measures and simulations are summarized in the TIA to explain the opinion of the engineer. ATD traffic engineers typically request the electronic copies of the SYNCRO runs from the developer and use them with the permission of the applicant to check inputs, geometric assumptions, intersection characteristics, test alternative solutions, and to evaluate the reasonableness of the mitigation proposals. These files represent intellectual information developed and owned by the applicant.

ATD professional engineering staff reviewed the inputs and outputs of the SYNCRO files provided by the Grove developer. ATD staff determined that the use of the SYNCRO model by the applicant’s engineer was reasonable and responsible. I believe that the appropriate amount of due diligence was applied to the TIA submittal. **In my professional opinion as the City Traffic Engineer, I believe that the resulting mitigation proposed by the developer resulting from the use of SYNCRO adequately mitigates the proposed development.**

• Trip Generation Rates:

The transportation industry relies on the *ITE Trip Generation Manual* as a proven accepted methodology for estimating trip generation rates of future land uses. In the absence of local data, this national standard provides a consistent approach for traffic impact analyses. The manual provides two basic approaches for estimating trip generation: use of regression equations or the use of weighted averages. The *ITE Trip Generation Manual, Volume 1, Chapter 3.3 Guiding Principles, p.9* provides guidance on when to use regression equations and when to use weighted averages (curve diagrams) for land uses when estimating trip generation rates. Engineering practice, including the City of Austin's standard practice, is to follow the ITE guidance which is based on the number of observations incorporated into the statistical analysis provided by the manual.

ATD traffic engineering staff reviewed Table 1 upon receipt of the TIA. When concerns related to the accuracy of values in this table surfaced, ATD staff again completed an additional supplementary review of each entry in the TIA's Table 1 related to trip generation rates (see Annotated TIA Table 1 below). Our finding is that the applicant's engineer followed the appropriate methods while estimating the trip generation values for the Grove.

**In my professional opinion as a registered engineer and as the City Traffic Engineer, the basis for using the *ITE Trip Generation Manual*, including its guidance in Volume 1, Chapter 3.3 Guiding Principles p.9 on when to use regression equations or averages, was followed by the developer's engineer and that the engineering calculations and resulting opinions are reasonable. Trip generation rates used in the analysis all conform to our standard practice of deferring to the advice provided in the *ITE Trip Generation Manual*.**

TIA Table 1 (Annotated)  
 Trip Generation - Unadjusted

	Land Use	Size		24-Hour	AM Peak Hour of Adjacent Street			PM Peak Hour of Adjacent Street		
					One Hour Between 7 and 9 am			One Hour Between 4 and 6 pm		
		Amount	Units		Total	Enter	Exit	Total	Enter	Exit
E	Single Family (210)	110	DU	1,146	87	22	65	114	72	42
E	Apartment (220)	600	DU	3,760	298	60	238	348	226	122
E	Residential Condo (230)	425	DU	2,265	164	28	136	197	132	65
R	Congregate Care Facility (253)	600	DU	1,212	36	21	15	102	56	46
R	Health/Fitness Club (492)	7,500	SF	247	11	5	5	26	15	11
E	Office (710)	200,000	SF	2,223	333	293	40	298	51	247
E	Medical Office (720)	25,000	SF	807	60	47	13	84	23	60
R	Specialty Retail (826)*	55,000	SF	2,438	108	67	41	153	68	86
R	Supermarket (850)	35,000	SF	3,578	119	74	45	332	169	163
E	Pharmacy/Drugstore w/o DT (880)	8,500	SF	766	11	7	4	71	35	36
R	Walk-in Bank (911)**	3,000	SF	364	0	0	0	36	16	20
R	Drinking Place (925)**	8,000	SF	907	0	0	0	91	60	31
R	Quality Restaurant (931)	15,000	SF	1,349	12	10	2	112	75	37
R	High Turnover Restaurant (932)	9,000	SF	1,144	97	54	44	89	53	35
R	Coffee/donut shop w/o DT (936)***	2,000	SF	1,762	217	111	106	82	41	41
Total				23,969	1,465	724	741	2,045	1,082	963

E Value correctly calculated using regression equation

R Value correctly calculated using average rate method

See: Trip Generation Handbook, 2<sup>nd</sup> Edition, Volume 1, Chapter 3.3, p. 9



- Trip Reduction Rates based on Transit Assumptions:

As part of the TIA recommended by the City Traffic Engineer, the developer has agreed to achieve a 5% trip reduction as a result of transit usage and other non-auto oriented travel methods. Initial discussion and comment from the City Traffic Engineer is that the developer's proposal was heavily based on untested assumptions that existing infrequent transit service on Bull Creek will be increased. Staff comments recommended that the developer verify this assumption with Capital Metro.

Capital Metro has recently published a 2025 Draft Concept of Service plan that would actually eliminate or further reduce the infrequent transit service along Bull Creek while at the same time dramatically increasing the frequency of services on 35<sup>th</sup> Street (See attached e-mail memorandum from Todd Hemingson, Capital Metro, August 31, 2016). The transit services on 35<sup>th</sup> Street are within one quarter mile of the development and based on consultation with Capital Metro, both the developer and the City Traffic Engineer believe that the trip reduction assumptions are reasonable. **Regardless of the potential change in the transit networks, the developer is responsible for achieving the 5% stated trip reduction goal recommended in the TIA.** In addition to the increased transit services on 35<sup>th</sup> Street, there are also a range of private transit and private mobility options that are available to the developer as tools to achieve the committed trip reduction (e.g., car share, transportation network companies, bike share, private shuttles, telecommuting, etc.). **Because the developer is bound by the phasing agreement and based on the input of Capital Metro, it is my professional opinion as a registered engineer and as the City Traffic Engineer that the trip reduction rate assumed as part of the development is appropriate and can be achieved.**

- Signal at MoPAC and 45<sup>th</sup> Street/Camp Mabry Gate:

Concerns have been voiced that the developer analyzed this intersection as a signalized intersection using SYNCRO but that construction of a signal at this location is not included in the mitigation plan and therefore the entire analysis is invalid. The intersection was analyzed as a signalized intersection in the future build condition using SYNCRO. This is acknowledged in the recommended TIA. The intersection is currently failing only during the PM Peak period, due to a lack of gaps in the traffic stream on 45<sup>th</sup> street and the delay created for westbound turning traffic off of the MoPAC ramp. At other times of the day, the intersection operates in uncongested conditions (level of service A). Because the intersection is at the end of a MoPAC ramp and because the movement now failing during the PM peak is the off-bound ramp left turn, the decision to request mitigation at this intersection was deferred and not requested of the applicant. The failing of this intersection only occurs when MoPAC is congested during the PM Peak period, when travel speeds on the off-ramp are similar to those on the mainline (low speed and congested). Lack of a signal at this location is not seen to present a safety concern.

The City is aware that TxDOT does not have funding to build a signal at this location. However, should the intersection warrant a signal for longer periods of the day, either the State or the City could be obligated to construct the signal. Neither the City nor TxDOT tend to construct signals if only one signal warrant (i.e. a peak period warrant) is met. Although signalization could help the existing PM peak operations, it is likely in my opinion that a signal would increase delay during other times of day, negatively affecting travel. It should also be noted that any project at this location requires TxDOT concurrence before installation.

Not mitigating the known existing PM Peak congestion does not invalidate the remainder of the TIA and allows the City to concentrate mitigation benefits near to the development and within the surrounding neighborhood. It is my opinion that regardless of the signalization at this intersection, the conclusions of the TIA and selection of mitigation measures are valid and consistent with industry practices.

**It is my professional opinion that the proposed development, even without signalization at this intersection, is adequately mitigating the impacts of the proposed development.**

- Extension of Jackson Street through the Development as a Public Street:

Over the course of the review process for the Grove TIA, the option for a connection of Jackson Street to 45<sup>th</sup> Street became available when the developer purchased an adjacent house parcel as part of their initial development planning. As the City Traffic Engineer, I believe that the tenets of the *Imagine Austin Comprehensive Plan* direct me to seek increased grid connectivity throughout the urban network and I observed that a new Jackson Street connection would provide greater permeability of the development and connectivity to the grid. I also believed that a second connection through the center of the proposed development would provide better access for public services (fire, medical aid, utilities, garbage collection, etc.) As steward of the transportation network, I requested that this connection be added to the list of mitigation to be required of the developer. The Public Works Director, who was present at the meeting with the developer when the request was made, determined that this street should be a publicly owned street due to the connectivity it provided and in support of my recommendation to preserve a public through-way within the development. Public ownership maximizes the City's flexibility in managing the street over the long term. The City is able to establish appropriate speed limits, set regulations as to the use of the street by large vehicles, manage parking, and locate necessary public utilities. Another key reason for the determination of Jackson Street remaining public is the proposed connection to 45<sup>th</sup> Street. This is a connection that is requested by the City Traffic Engineer. It is not clear that a private connection through the residential properties purchased by the developer could be constructed due to the restrictive covenants placed on these properties when they were platted. As a public street, the Jackson Street connection through to 45<sup>th</sup> Street is not controlled by the restrictive covenants. The Public Works Director, in conjunction with the City Traffic Engineer, is responsible for making this decision because of his/her responsibility for maintaining the roadway network once it is established. In this way, the City has the ability to mandate pavement and subsurface designs and is in charge of long-term easements within the street, should a new one require designation. Public access to the roadway cannot be limited by the adjacent property owners and the City has the ability to protect the rights of the traveling public that may or may not be doing business in the adjacent development.

Other streets within the developer's proposed network connecting to the central public Jackson Street spine, on the other hand, are recommended to remain private streets. This too was a joint decision by the Public Works Director and City Traffic Engineer. This recommendation shifts the cost of maintaining these local streets to the developer or his/her successor. All of the remaining streets provide only local access within the proposed development. The design of a private street, unlike a public one, can be made more consistent with the surrounding development as long as it is not in conflict with City design concerns (for example, it could be paved using brick rather than the standard asphalt design of a public street). Private streets remain the responsibility of the land owner and do not require public maintenance, saving the city from using public taxes to maintain and preserve roadways wholly within the development and providing only access to the affected properties and hence having a limited public purpose. These local access roadways are distinctly different as compared to the proposed Jackson Street which will provide access to and through the entire proposed development and serve as a public access portal into the development. **Functioning as a collector, the proposed new section of Jackson Street serves a public purpose and it is my professional engineering opinion that it should be owned and maintained by the City in trust for the public.**

To accommodate the concern of local residents that this new connection will generate additional left turns from 45<sup>th</sup> Street or could become a preferred cut-through, City staff requested that its intersection

at 45<sup>th</sup> Street be designed as a right-in and right-out only connection. This operational control does not diminish the anticipated public nature of this connection. A pedestrian hybrid beacon and pedestrian crosswalk will also be provided, connecting the neighborhood with a safe pedestrian crossing of 45<sup>th</sup> Street that does not exist today at this location. To accommodate these requests, the developer has notified the City that it has in fact purchased an additional property adjacent to the first house they acquired. These two parcels provide a preferred alignment for the Jackson Street Connection and a right-in and right-out design. It provides better alignment with the existing street north of 45<sup>th</sup> Street and allows for a safer placement of the requested pedestrian amenities. Detailed designs of this intersection, along with the pedestrian amenities, will be developed during the site design process, allowing City traffic engineers to review its specific attributes. At this phase of analysis, it provides a reasonable concept as part of the mitigation proposal.

**In my professional engineering opinion as the City Traffic Engineer, I believe this new intersection conforms to the guidance of Imagine Austin and also conforms to safe engineering geometric and operational design standards and that the extension of Jackson Street should be a public street.**

- **TIA Amendment:**

On July 21, 2016, the developer for the Grove submitted a proposed amendment to their original TIA, subsequent to the approval by the Planning Commission, and prior to consideration by Council. The primary difference proposed with the amendment is an alternate design of the 45<sup>th</sup> at Bull Creek intersection. Additionally, through the amendment, the developer has disclosed that they now own a second house parcel not previously identified in the TIA and can now provide an optimum alignment for the Jackson Street public connection to 45<sup>th</sup> Street. ATD met with the developer's engineer several times to confirm the changed assumptions and geometric proposals incorporated in the amendment proposal.

On September 12, 2016, the developer informed staff that they wished to withdraw the amendment because they have now obtained all necessary right-of-way to provide the originally proposed design of the intersection at 45<sup>th</sup> Street and Bull Creek (See Attachment). They have confirmed that they also acquired the additional property at the proposed connection of Jackson Street and 45<sup>th</sup> Street. This additional property will allow a more optimal design and would allow a right-in and right-out connection with improved pedestrian connectivity and safety equipment. Additional review of this alignment and design will occur at the site design phase of development.

Given the withdrawal of the developer's TIA amendment, staff will cease further analysis of the amendment. The recommended TIA remains the official documentation of potential impacts and mitigation.

**In my professional engineering opinion, I believe that this recommendation to stop any further analysis is consistent with our previous engineering recommendation to you based on the official TIA.**

In closing, the role of the City Traffic Engineer is one of trust and professionalism. I believe that I and my professional engineering staff that work in ATD have performed admirably, honestly, and professionally. As a registered professional engineer, I believe I and my professional engineering staff have conducted themselves consistent with the Texas Engineering Code of Ethics and with Texas Law. I and my staff are available should you require further information regarding these issues.

**Attachments:**

- Todd Hemingson E-Mail Memorandum, August 31, 2016
- Jeffery Howard Letter Withdrawing TIA Amendment, September 12, 2016





## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Robert Goode, P.E., Assistant City Manager  
Sue Edwards, Assistant City Manager *RG*

**CC:** Marc A. Ott, City Manager  
Rob Spillar, P.E., Austin Transportation Department  
Rodney Gonzales, Development Services  
Greg Guernsey, Planning and Zoning

**DATE:** September 13, 2016

**SUBJECT:** The Grove staff review

---

As you know, development of the Grove has become a controversial issue with organizations, constituents, and Council members weighing in on both the "pro" and "con" side. Several Council members have questioned the staff's review process. To respond to these concerns, the City Manager asked us to explore the staff's technical analysis regarding the traffic impact and the analysis of the review process. We have worked with our teams to evaluate and clarify the staff's role in the review, the current status of the review, and the development's potential impact and required mitigation. We've attached two memos that go into much greater detail and we've tried to also summarize the analysis below. We apologize for the length of the attached memos, but we wanted to try to answer all the outstanding questions we have received thus far.

There are many issues/concerns to be addressed, but the two primary issues seem to be the accuracy of the Traffic Impact Analysis (TIA) and the review process itself in regards to the roles of management vs. front line reviewers. We've tried to address both of these issues via the attached memos. We're going to address the staff roles first.

### **Management's Role in the Review Process**

As you know, staff serve different roles in our employee family. As is the case in any organization, the staff are hired to provide their experience and education in the tasks that they perform every day. We expect every City employee to exhibit our P.R.I.D.E values in every interaction. Building from that standard, we also expect different things from our employees depending on the responsibilities of their particular positions in the organization. For example, in this case, as the City Manager heard Council members, the media, and community groups express concern about the review process, he sought out the assistance from senior level staff...two of his Assistant City Managers...to review these concerns. This is a highly controversial case, so he directed his ACM's to engage. The more controversial and/or complex the issue becomes, the more we expect senior level managers to engage.

Every employee in our organization is vital to our success. As such, it is necessary for our employees to have different roles and tasks in order to reach that success. For example, many of our employees are tasked to provide research, collect data, analyze issues and then act upon that information to make decisions and move on. In many cases, those same employees are asked to

provide that information to a supervisor, manager, Department Head, Assistant City Manager, or to the City Manager to make the final decision.

In the case of a controversial, complex development project we absolutely expect and demand that Department Heads be personally involved. We expect them to use all resources available within their departments to seek input and advice, but at the end of the day the Department Heads are accountable for products that come out of their department. This is the case for any high level issue/project in our organization. For example, as Council members you are faced with controversial policy decisions. We're sure that you seek advice/input from your staff, but at the end of the day...taking into account that input...the final decision rests with you.

So, one of the questions that seems to continue to be asked is why did "management" get involved in the review process instead of just letting the front line engineers/reviewers have the final say. For a case as complicated and controversial as the Grove, we find it hard to understand why anyone would think that we wouldn't require our Department Heads to be involved in the process. Yes, Department Heads should, and did, seek input, data, and advice from their staff. But, as stated above, "at the end of the day the Department Heads are accountable for products that come out of their department." In the case of a controversial development project, the Department Heads must take into account their staff's comments and opinions, the developer's supplied data, the code requirements, engineering standards, the process we are in at the moment, and the process that will follow. As to the "process we are in at the moment", it is important to remember that we are currently reviewing a Planned Unit Development (PUD) zoning case, not a site plan application. As you know, during the change of zoning application it is appropriate to only review conceptual designs of the proposed development and traffic mitigation measures. The conceptual designs are utilized as the basis for future construction documents to implement the traffic mitigation measures. The construction documents are reviewed for approval through the City's Site Development Permit process. This difference has been the source confusion regarding front line staff's comments and "management" determining that some of those comments were not appropriate at the zoning phase and would be more appropriately addressed at site plan.

Hopefully the information described thus far has answered the "staff's role" question. In short, the Department Heads absolutely needed to be involved in this complicated, controversial case. After taking into account input from their staffs, it was their decision to make regarding compliance of the development with city codes, engineering standards, etc.

#### **Technical Analysis on the Traffic Impact Analysis**

In the case of Mr. Spillar, acting in his capacity as the City's Traffic Engineer, he is the authority that makes decisions regarding traffic impacts. He certainly has employees that take on technical review tasks, but they are doing so under the supervision of the office of the City Traffic Engineer. Since there have been concerns expressed and allegations offered regarding the Traffic Impact Analysis (TIA), ACM Goode asked Mr. Spillar to attempt to clarify his stance as the City's Traffic Engineer regarding the TIA. In his attached response you can see that Mr. Spillar has taken the step to seal this document as a Professional Engineer. This is an unusual step, but in this controversial case, with so many allegations regarding the accuracy of the TIA, we believe that this action reiterates the professional weight of his conclusions as the City's Traffic Engineer.

In closing, we hope this information helps clarify and address some of the stated concerns. We stand ready to answer further questions as this project moves forward for your consideration.

**Attachments:** Technical Analysis Report from Director Spillar; Process Memo for Director Spillar and Gonzales.