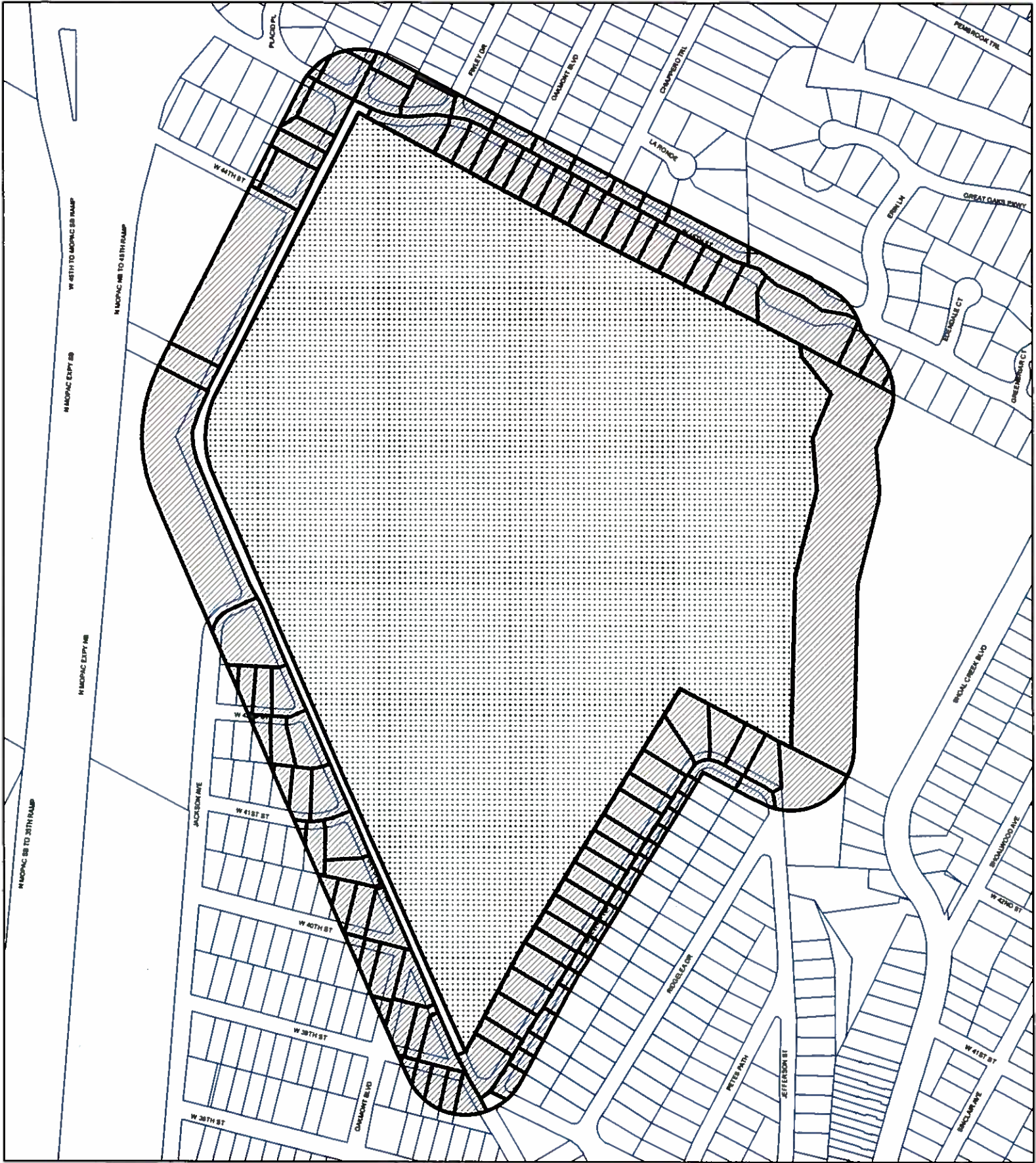
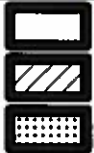




N



1" = 400'



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

CASE#: C814-2015-0074

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



Case Number:

C814-2015-0074**PETITION**

Date: 4/8/2016

Total Square Footage of Buffer: 1697803.025

Percentage of Square Footage Owned by Petitioners Within Buffer: 28.68%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0122000606	3906 IDLEWILD RD 78731	ALEXANDER MARIAN J	yes	13098.41	0.77%
0226000810	2627 W 45 ST 78731	ARG BULL CREEK LTD	no	8468.80	0.00%
0226000801	2645 W 45 ST 78731	ARMAN ANOUSH TAKIN & FERINAZ Z	yes	17342.20	1.02%
0124020308	4330 BULL CREEK RD 78731	AUSTIN BC LP	no	95010.04	0.00%
0226000130	4501 BULL CREEK RD	BARBUSH SONDRAL	no	16176.57	0.00%
0122000502	1820 W 39 ST 78731	BECK L ALEXANDRA	no	8485.11	0.00%
0226000248	2607 LA RONDE 78731	BLACKSTOCK MATHIS & MARY	yes	5620.50	0.33%
0223000122	4010 IDLEWILD RD 78731	BOYLES RUTH TRUSTEE	no	9740.00	0.00%
0226000820	2619 W 45 ST 78731	BRADFORD ANDREW & ANDREA	yes	10872.45	0.64%
0223000115	4112 IDLEWILD RD 78731	BRIER BENNETT ANDREW & BETTY LOU LITRELL	yes	14678.01	0.86%
0226000823	2615 W 45 ST 78731	CAJAS JOSEPH RICHARD III & MAYA VEGA	yes	9091.70	0.54%
0122000404	1817 W 39 ST 78731	CARREON REBECCA CLAIRE	no	6581.32	0.00%
0122020906	1903 W 41 ST 78731	CHIN KEVIN L & YUN GUO	no	8562.02	0.00%
0223000130	JEFFERSON ST 78756	CITY OF AUSTIN	no	30358.91	0.00%
0226000831	W 45 ST 78731	CITY OF AUSTIN ATTEN REAL ESTATE DIV	no	43848.54	0.00%
0122000708	4003 IDLEWILD RD 78731	CLIFTON GRANT HAMON & NATALIE CHRISTINE	yes	2444.16	0.14%
0223000129	4202 SHOAL CREEK BLVD 78756	CLINE MARGARET W	no	20.35	0.00%
0226000827	2515 W 45 ST 78756	COLTEN KEVIN DAVID & LAURA LEE STEELE	no	1262.37	0.00%
0126010915	2800 W 45 ST 78731	CONTALDI LISA MARIE	no	15606.33	0.00%
0223000203	4011 IDLEWILD RD 78731	COULSON ANDREW D & CHERIE G HA CHERIE G HAVARD	yes	2409.31	0.14%
0226000802	2643 W 45 ST 78731	COURTOIS PHILIP & AMITY	yes	8770.78	0.52%
0226000818	2621 W 45 ST 78731	COX GRAYSON MONTGOMERY & DANIEL DE LA GARZA	yes	8749.46	0.52%
0223000201	4007 IDLEWILD RD 78731	CROSS LAURA S & BENJAMIN S	no	2361.24	0.00%
0122000703	3905 IDLEWILD RD 78731	CULPEPPER GARY G & RICHARD A BALCUM	yes	3421.30	0.20%
0226000519	4500 CHIAPPERO TRL 78731	CURRIE CHAD D & JENNIFER	no	7571.54	0.00%

0122020907	1901 W 41 ST 78731	DAVIS TRACY & MATTHEW	yes	15981.72	0.94%
0223000120	4100 IDLEWILD RD 78731	DERRYBERRY LANITH WILBURN	yes	9488.22	0.56%
0226000129	2644 W 45 ST	DESTASIO CATHERINE	no	14814.54	0.00%
0124000303	1902 W 41 ST 78731	DEVENS FRELLSEN TRUST	no	10742.62	0.00%
0122020913	1910 W 40 ST 78731	ECHOLS CAPITAL GROUP LLC	no	47.60	0.00%
0122020823	1901 W 40 ST	FARMER PAUL A & SUSAN M	yes	13616.73	0.80%
0122000704	3907 IDLEWILD RD 78731	FARRELL JAMES	no	4662.20	0.00%
0226000833	2613 W 45 ST 78731	FENG BRUCE II	yes	10405.52	0.61%
0226000807	2633 W 45 ST	FROMMHOLD LOTHAR W & MARGARET M FROMMHOLD	yes	8715.65	0.51%
0124000302	1900 W 41 ST 78731	GIBSON SARAH J	no	15774.66	0.00%
0223000111	4107 JEFFERSON ST 78731	GILMORE JACK A & LUANN K	no	13444.84	0.00%
0223000209	4107 IDLEWILD RD 78731	GIORDANI ROSEANNE	no	2399.39	0.00%
0126011107	4404 BULL CREEK RD	GOERTZ PAUL MICHAEL	no	9165.14	0.00%
0223000123	4008 IDLEWILD RD 78731	GOLDING ROBERT L & NANCY M	yes	9460.46	0.56%
0223000119	4102 IDLEWILD RD 78731	GOTH JOHN A	no	9416.81	0.00%
0226000420	4501 FINLEY DR 78731	GUZMAN JOSE & KARLA RODRIGUEZ	no	8300.74	0.00%
0126010914	4502 BULL CREEK RD 78731	HAHN TIMOTHY M	yes	2318.37	0.14%
0122000504	1818 W 39 ST 78726	HAMLIN NICOLE	no	14123.07	0.00%
0126011110	2802 W 44 ST	HAMLIN NICOLE J	yes	3699.99	0.22%
0122020905	1905 W 41 ST 78731	HEHMSOOTH CARL J & SHARON V	no	1613.80	0.00%
0122000706	3911 IDLEWILD RD 78731	HENDERSON JOHNN ROBERT	no	4139.73	0.00%
0226000806	2635 W 45 ST 78731	HERNANDEZ DANIEL	yes	8765.16	0.52%
0223000202	4009 IDLEWILD RD 78731	HORTON SAMUEL FRANKLIN APT 1909	no	2465.67	0.00%
0122000601	4004 IDLEWILD RD 78731	HRNCIR JOHN	yes	9497.93	0.56%
0226000128	4502 FINLEY DR 78731	HUME COLIN DAVID	no	1717.25	0.00%
0122000602	4002 IDLEWILD RD 78731	JACOB HONORA DESMOND	yes	9395.88	0.55%
0226000809	2629 W 45 ST 78731	JEANES RYDER F	yes	8669.17	0.51%
0122020822	1903 W 40 ST	JUDGE JOAN E	yes	6093.65	0.36%
0124000405	4220 BULL CREEK RD AUSTIN 78731	K&E PARTNERS LTD	no	33905.80	0.00%
0223000207	4103 IDLEWILD RD 78731	KASSAM SALIM & SHARMILA	yes	2092.44	0.12%
0122020912	1908 W 40 ST 78731	KHATIBI FAMILY REVOCABLE LIVING TRUST	no	2967.81	0.00%
0122000607	3902 IDLEWILD RD 78731	KOHLER ANNE T TRUSTEE A T KOHLER LIVING TRUST	yes	8427.82	0.50%
0226000804	2639 W 45 ST 78731	KOOHRANGPOUR REZA	yes	8613.84	0.51%
0223000116	4110 IDLEWILD RD 78731	LANDREAUX JOHN PATRICK % OZARK AUTOMOTIVE GROUP	yes	13724.80	0.81%
0122000709	4005 IDLEWILD RD 78731	LEGGE ROBERT MURRAY & DEBORAH EVE LEWIS	yes	2533.18	0.15%
0122000608	3900 IDLEWILD RD 78731	LINDSEY JAMES MALCOLM	no	19029.05	0.00%

0223000204	4013 IDLEWILD RD 78731	LOEHLIN JAMES N & LAUREL R G	no	3062.55	0.00%
0124000403	1904 W 42 ST 78731	LOUCKS JOHN S IV & MARLA BODOUR LOUCKS	no	6661.85	0.00%
0122020910	1904 W 40 ST	LOWRY WILLIAM PRICE III & LYDI LYDIA F LOWRY	no	10749.01	0.00%
0226000832	2611 W 45 ST 78731	LUND DONNA	no	13579.75	0.00%
0226000803	2641 W 45 ST 78731	MACALUSO JOSEPHINE	yes	9391.38	0.55%
0226000822	2617 W 45 ST 78731	MARTIN DEBRA LYNN	yes	12802.17	0.75%
0126011108	4402 BULL CREEK RD 78731	MAYFIELD SARAH R	no	10219.55	0.00%
0223000124	4006 IDLEWILD RD 78731	MCCALL DEAN	yes	9646.58	0.57%
0126011105	2803 W 45 ST 78731	MCCOLLUM JEFFERY & KAREN	no	5015.86	0.00%
0122000701	3901 IDLEWILD RD 78731	MIKA EMILY S & DALE W	no	6538.48	0.00%
0124000305	1906 W 41 ST 78731	MILEK RICHARD JOHN	no	218.18	0.00%
0223000210	4109 IDLEWILD RD 78731	MIRKIN DANA B & GAYLE L	no	2300.69	0.00%
0122000605	3908 IDLEWILD RD 78731	MODISETT BENJAMIN & LESLIE & KENNETH & SANDRA C CAILLIOUX	no	13655.46	0.00%
0124000310	1905 W 42 ST 78731	MONROE MARK M & GLENDA G	yes	5587.66	0.33%
0226000805	2637 W 45 ST 78731	MOORE JOHN R	yes	8955.96	0.53%
0226000811	2625 W 45 ST	MOORE LACY ELIZABETH	no	9080.27	0.00%
0124000404	1906 W 42 ST 78731	MUELLER PEGGY JEAN	no	1431.49	0.00%
0124000402	1902 W 42 ST 78731	MUELLER PEGGY JEAN	no	8749.99	0.00%
0223000206	4101 IDLEWILD RD 78731	NELSON KATHERINE	no	1984.76	0.00%
0126011106	2801 W 45 ST 78731	NGUYEN TRUNG & LORIS TRAN	yes	17742.67	1.05%
0226000633	4500 ERIN LN 78756	NICHOLS TROY & BARBARA	yes	21962.86	1.29%
0126010916	2802 W 45 ST 78731	OSHEA JENNIFER GASKINS	no	2021.80	0.00%
0226000234	2603 LA RONDE 78731	OVERSTREET INGA V & JENNIFER D GRAF	yes	16720.78	0.98%
0122000405	1815 W 39 ST 78731	PATTERSON NICHOLAS & ANGELA	no	6634.77	0.00%
0122020908	4006 BULL CREEK RD 78731	PERRY MATTHEW K	yes	11933.32	0.70%
0124000304	1904 W 41 ST 78731	PIGFORD WILLIAM SCOTT & LAURA LAURA ENTING PIGFORD	no	4870.59	0.00%
0122000707	4001 IDLEWILD RD 78731	PORTER MARK EDWARD	yes	2553.50	0.15%
0126011109	2800 W 44 ST 78731	RITTENHOUSE WILLIAM W	no	20323.87	0.00%
0122000501	3915 OAKMONT BLVD 78731	ROGERS LAUREN ELIZABETH & LEIGH ELLIS IV	no	13229.99	0.00%
0124000401	1900 W 42 ST 78731	ROSS ROBERT & BRENDA	no	12713.55	0.00%
0226000830	2519 W 45 ST	RUSHING ELAINE R	yes	9607.89	0.57%
0223000208	4105 IDLEWILD RD 78731	SAVAGE DAVID & STEPHANIE	yes	2305.27	0.14%
0226000247	2605 LA RONDE 78731	SCHOTTMAN STEPHEN T & EMILY H	yes	4945.75	0.29%
0124000311	1903 W 42 ST 78731	SCHRAB E DANA	yes	9458.67	0.56%
0223000114	4114 IDLEWILD RD 78731	SHAUKAT AAMER & CASSANDRA	yes	21342.01	1.26%
0223000131	4109 JEFFERSON ST 78731	SMITH THOMAS HENRY & STEPHEN LEROY LINDENBAUM	no	10474.03	0.00%
0124000309	1907 W 42 ST 78731	SOUBY ANNE ROSE	no	287.25	0.00%

0223000121	4012 IDLEWILD RD 78731	SPATH JOHN E	yes	9492.01	0.56%
0122000406	3806 BULL CREEK RD 78731	SPIRIT ROCK LLC	no	7725.49	0.00%
0223000110	4400 SHOAL CREEK BLVD 78756	STATE OF TEXAS	no	253906.24	0.00%
0223000212	4113 IDLEWILD RD 78731	STEWART THOMAS R	yes	8053.74	0.47%
0223000117	4108 IDLEWILD RD 78731	TAJCHMAN JUSTIN D & KRISTINA	yes	9670.57	0.57%
0226000815	2623 W 45 ST	TANNER ROBERT L	no	10099.96	0.00%
0122020809	1905 W 40 ST 78731	TAYLOR TERESA NELL & MARLIS EVE WEATHERLY	no	3108.71	0.00%
0122020911	1906 W 40 ST	TEXSTAR ACQUISITIONS LLC	no	7645.72	0.00%
0226000520	4501 OAKMONT BLVD 78731	THOMAS STEPHEN M	no	7251.04	0.00%
0223000118	4104 IDLEWILD RD 78731	TILTON TIMOTHY D & NAOMI ALEXA NAOMI ALEXANDRA	yes	15279.18	0.90%
0122000702	3903 IDLEWILD RD 78731	TORONYI BRIAN M & CHRISTINA A BURCIAGA	yes	3606.74	0.21%
0122000503	1822 W 39 ST 78731	TSCHEITTER ERIC & SAYURI	no	11478.19	0.00%
0122000603	4000 IDLEWILD RD 78731	VAROZZA MICHAEL J & GWYN F	no	13797.25	0.00%
0226000808	2631 W 45 ST 78731	WAGNER TIM & DONNA WAGNER FLP	no	8587.13	0.00%
0226000419	2640 W 45 ST	WALDEN SAMUAL BRACKEN	yes	7583.29	0.45%
0223000213	4112 RIDGELEA DR 78731	WARE EDNA A TRUSTEE EDNA A WARE LIVING TRUST	yes	6305.56	0.37%
0124000104	4100 JACKSON AVE 78731	WESTMINSTER MANOR HEALTH FACILITIES CORP	no	131133.57	0.00%
0226000131	4503 BULL CREEK RD	WIELAND FAMILY LTD	no	8035.91	0.00%
0122020909	1900 W 40 ST	WIENER SABRINA S	no	15115.89	0.00%
0223000211	4111 IDLEWILD RD 78731	WILSON MICHAEL	no	2324.33	0.00%
0124000312	1901 W 42 ST 78731	WOLF ANGELA M	no	15741.27	0.00%
0124020307	4316 BULL CREEK RD 78731	WONG ALBERT S P & MAUREEN H TRUST AGREEMENT	no	14360.39	0.00%
0226000826	2517 W 45 ST 78756	YEAGER WESLEY	no	6700.37	0.00%
0223000113	4116 IDLEWILD RD 78731	ZIPPEL ERIC J	yes	14035.22	0.83%
0122000420	Address Not Found		no	2466.94	0.00%
0122021001	Address Not Found		no	2841.30	0.00%
0122000421	Address Not Found		no	4953.19	0.00%
Total				1600842.12	28.68%

JEFFERY L. HART

Attorney and Counselor
807 Brazos St.
Suite 1001
Austin, Texas 78701-2553
Telephone: (512) 940-4444
Email: jeffhart1@att.net

October 14, 2015

Via email and hand delivery.

Mr. Greg Guernsey
Director, Planning and Zoning Department
One Texas Center, 505 Barton Springs Road
P.O. Box 1088
Austin, Texas 78767

Re: Proposed Grove at Shoal Creek Planned Unit Development

Dear Mr. Guernsey,

I represent the Bull Creek Road Coalition, a coalition of seven neighborhood associations adjoining the proposed Grove at Shoal Creek PUD. We have reviewed your letter of July 31, 2015, to Chris Allen and are having difficulty understanding the propriety of the conclusions that (a) the surrounding long-established neighborhoods are denied valid petition rights in this matter, and (b) a $\frac{3}{4}$ vote of the city council would not be required to reverse a negative decision by the Land Use Commission. Could you please explain further the bases for those conclusions, including addressing the following questions:

1. The 1972 *Appolo* case cited in the 1985 memo attached to your letter, involved a very different situation. The land there was newly annexed and not subject to city jurisdiction and received no notice or hearing when the city's comprehensive zoning ordinance was adopted. Here, the land has been within the city limits and served by the city for decades, and covered by more than one adoption of Austin's comprehensive zoning ordinance. There are also other significant differences. Is there any explanation of how the *Appolo* case might apply to this land and this PUD application (other than the 1985 memo which was addressing a very different issue)?

2. Doesn't Section 25-2-222 of the Land Development Code give this tract a valid zoning classification of at least rural residential (RR)? Again, unlike the *Appolo* case, this tract was within the city limits when this section and the rest of the LDC were adopted.

3. If this tract is not considered to have RR or some other base zoning, can a valid PUD application be filed? Without an accepted base zoning, how can the pre-filing requirement of Section 1.3.3(A)(1) of the PUD Division of the LDC be met, and

how can the city accept the PUD application as being complete and in compliance with the Code?

4. If the tract is un-zoned, was that the result of a formal decision to have it be so or to exempt it from RR zoning? Was/is the failure to place a zoning designation on the zoning map a violation of the City Code provisions mandating all land in the city limits to have a zoning designation (e.g. Section 25-2-221) and/or the 2008 directive of the city council to the City Manager to do so?

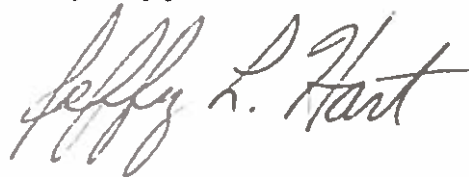
Given the facts and circumstances of this PUD application, I cannot see how your interpretation that Section 25-2-241 operates to circumvent valid petition rights and super-majority voting, is defensible -- either under the *Appolo* case or when that Section is read in context with other applicable sections of the LDC.

I should also point out a more fundamental problem with Section 25-2-241, if it is interpreted the way your letter states. Its definitional distinction between "zoning" and "rezoning," is inconsistent with the language of the Texas Zoning Enabling Act that created and guaranteed the rights at issue here. (That Section is also inconsistent with the *Appolo* case as outlined above). That Act's purpose is to create valid petition rights and super-majority voting to give protections to impacted neighbors when new and different land uses are proposed. There can be no doubt that the proposed PUD seeks a very significant change in the use for this land and would be a significantly different land use from all of the established surrounding neighborhoods. Any such change requires formal approval by the city under the previously adopted LDC and in the exercise of its delegated legislative power under the Zoning Enabling Act. The important fact is that to grant this PUD application the city council will have to approve a change in the current regulations applicable to this property. It is that change that by law triggers valid petition rights and super-majority voting, not whether it is labeled zoning or rezoning.

With the controlling effect of the Zoning Enabling Act, and again, a fair reading of all applicable provisions of the LDC, I cannot see how valid petition rights and the protections of super-majority voting can be legally denied here.

I look forward to your response and explanation, and would welcome the opportunity to meet with you and others at the City to discuss this matter further.

Very truly yours,



Cc: Hon. Steve Adler, Mayor
Hon. Kathie Tovo, Mayor Pro Tem
Hon. Sheri Gallo, Councilperson, District 10
Marc Ott, City Manager
Sue Edwards, Assistant City Manager
Deborah Thomas, Assistant City Attorney
Jerry Rusthoven, Current Planning Manager, Planning and Zoning Department

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

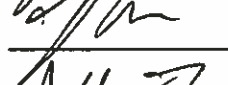
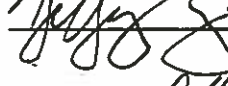
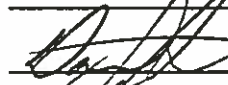
ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3*.

*The Planned Unit Development (PUD) filed by the owner and developer of the subject property, ARG Bull Creek, LTD, is not compatible with *Imagine Austin* and the neighborhoods surrounding the site. The PUD filed allows for much higher scale and intensity of uses, limited dedicated parkland, inadequate compatibility to existing single family homes, and substantial traffic generation that will triple the number of vehicles on the already congested streets around the site. We have included SF-3 in this petition as a placeholder for a more appropriate PUD application that includes community feedback such as lower scale and less intensive uses, greater dedicated parkland area, greater compatibility to existing single family homes, and reduced traffic generation.

SIGNATURE	PRINTED NAME	ADDRESS
	RYDER JEANES	2629 W. 45 th
	Tony Arman	2645 W. 45 th
	Ferina Arman	2645 W. 45 th
	Jeffrey Mayo	2623 W. 45 th
	Daniel Hernandez	2635 W. 45 th
	MARY BLACKSTOCK	2607 La Ronde
	STEPHEN SCHOTTMAN	2605 LA RONDE

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: 03/30/16

FILE NUMBER: C814-2015-0074

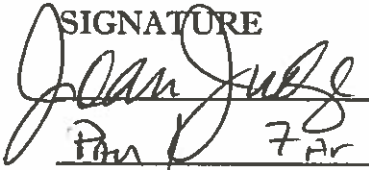
ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3*.

*The Planned Unit Development (PUD) filed by the owner and developer of the subject property, ARG Bull Creek, LTD, is not compatible with *Imagine Austin* and the neighborhoods surrounding the site. The PUD filed allows for much higher scale and intensity of uses, limited dedicated parkland, inadequate compatibility to existing single family homes, and substantial traffic generation that will triple the number of vehicles on the already congested streets around the site. We have included SF-3 in this petition as a placeholder for a more appropriate PUD application that includes community feedback such as lower scale and less intensive uses, greater dedicated parkland area, greater compatibility to existing single family homes, and reduced traffic generation.

SIGNATURE	PRINTED NAME	ADDRESS
	JOAN Judge	1903 W. 40 th
	Pam Farmer	1901 W. 40
	SUSAN FARMER	1901 W. 40

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3*.

*The Planned Unit Development (PUD) filed by the owner and developer of the subject property, ARG Bull Creek, LTD, is not compatible with *Imagine Austin* and the neighborhoods surrounding the site. The PUD filed allows for much higher scale and intensity of uses, limited dedicated parkland, inadequate compatibility to existing single family homes, and substantial traffic generation that will triple the number of vehicles on the already congested streets around the site. We have included SF-3 in this petition as a placeholder for a more appropriate PUD application that includes community feedback such as lower scale and less intensive uses, greater dedicated parkland area, greater compatibility to existing single family homes, and reduced traffic generation.

SIGNATURE

PRINTED NAME

ADDRESS

<i>Debra Martin</i>	Debra Martin	2617 W. 45th, Austin 78731
<i>Mike Crixell</i>	MIKE CRIXEL	"
<i>Maya Cajas</i>	Maya Cajas	2615 W. 45th St, Austin, 78731
<i>Joseph Cajas</i>	Eliza Joseph Cajas	2615 W. 45th St. Austin 78731
<i>Elaine Rushing</i>	Elaine Rushing	2519 W. 45th 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-3*.

*The Planned Unit Development (PUD) filed by the owner and developer of the subject property, ARG Bull Creek, LTD, is not compatible with *Imagine Austin* and the neighborhoods surrounding the site. The PUD filed allows for much higher scale and intensity of uses, limited dedicated parkland, inadequate compatibility to existing single family homes, and substantial traffic generation that will triple the number of vehicles on the already congested streets around the site. We have included SF-3 in this petition as a placeholder for a more appropriate PUD application that includes community feedback such as lower scale and less intensive uses, greater dedicated parkland area, greater compatibility to existing single family homes, and reduced traffic generation.

SIGNATURE

PRINTED NAME

ADDRESS

Drew Bradford

Drew Bradford

2619 W. 45th St.

Andrea Bradford

Andrea Bradford

2619 W. 45th St.

Barbara Nichols

Barbara Nichols

4500 Erin Lane

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: 2/27/2016

FILE NUMBER: C 814-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

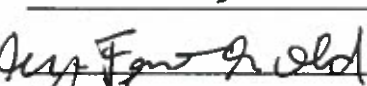
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SIGNATURE

PRINTED NAME

ADDRESS

	L. FROMMHOLD	2633 W 45 th
	M. FROMMHOLD	4 4
	J. Macaluso	2641 W. 45 th ST.

DATE: 2/27/2016

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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SIGNATURE

PRINTED NAME

ADDRESS

	Sabrina Bradley	1900 W 40th St.
	Melissa Ushakov	1905 W 40th St
	MATTHEW K. PERRY	4006 Bull Creek Rd.
	Tracy Matt Davis	1901 W. 41st St.
	DANA Schrab	1903 W. 42 nd
	MARK MONROE	1905 W 42nd

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814-2015-0074

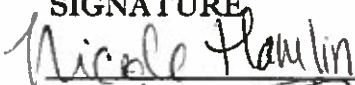
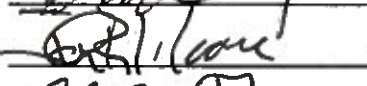
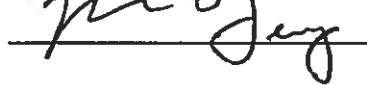
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4205 BULL CREEK ROAD, AUSTIN, TX 78731

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SIGNATURE	PRINTED NAME	ADDRESS
	Nicole Hamlin	2802 W. 44th St
	Trung Nayer	2801 W. 45th Street
	Tim Hahn	4502 Bull Creek
	Amity Courtois	2643 W. 45th
	Reza Kooheang	2639 W 45th
	Bracken Walden	2640 W. 45th
	John Moore	2637 W. 45th St.
	Bruce Feng II	2613 W. 45th St.

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 28, 2016

FILE NUMBER: C814-245-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

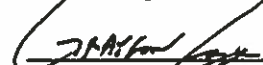
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SIGNATURE

PRINTED NAME

ADDRESS

	Inga Dunstreet	2603 La Ronde 78731
	GRAYSON COX	2621 W 45TH
	DANIEL DELAGARZA	2621 W. 45th St.

DATE: 3/28/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814 - 2015 - 0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

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SIGNATURE

PRINTED NAME

ADDRESS

Mark Porter

MARK PORTER

4001 Idlewild Rd

Grant Clayton

Grant Clayton

4003 Idlewild Rd.

Roseanne Jordan

ROSEANNE JORDAN

4107 IDLEWILD RD

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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SIGNATURE

PRINTED NAME

ADDRESS

K. Zitel Kim ZIPFEL 4116 Idlewild Rd 78731
M. Vining LEGG 4005 Idlewild Rd.
Deborah Lewis 4005 Idlewild Rd
DEAN McCART 4006 IDLEWILD RD
Honora Jacob Honora JACOB 4002 Idlewild Rd.
Anne S. Kohler Anne T. Kohler 3902 Idlewild Rd.
Marian Alexander Marian Alexander 3906 Idlewild 78731
Gary Culpepper Gary Culpepper 3905 Idlewild 78731
Andrew Carlson Andrew Carlson 4011 Idlewild 78731
Cherie Hansen Cherie Hansen 4011 Idlewild 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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SIGNATURE

PRINTED NAME

ADDRESS

	SALIM KASSAM	4103 IDLEWILD RD AUSTIN TX 78731
	Eric Zafel	4116 Idlewild Rd Austin TX 78731
	Benet Brier	4112 Idlewild Rd 78731
	Betty L. Arell	4112 Idlewild Rd 78731
	CHRISTINA TORONYI	3903 IDLEWILD RD 78731
	DORTHA STEWART	4113 IDLEWILD RD 78731
	Thomas Stewart	4113 Idlewild Rd 78731
	EDNA WARE	4112 Ridgelen Ave. 78731
	Brian Toronyi	3903 Idlewild Rd 78731
	John Hrnait	4004 Idlewild Rd 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C614-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

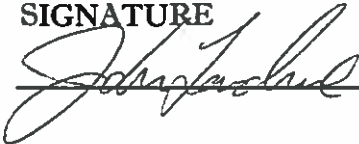
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SIGNATURE

PRINTED NAME

ADDRESS

 JOAN LANDMAN 4110 TOWNSEND AVE, TX 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

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SIGNATURE

PRINTED NAME

ADDRESS



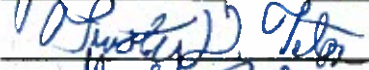
AMER SHAUKAT

4114 IDLEWILD RD AUSTIN TX 78731



Justin D Traichman

4108 Idlewild Rd Austin, TX



TIMOTHY D. TILTON

4104 Idlewild Rd Austin



NAOMI A. TILTON

4104 IDLEWILD RD AUSTIN



David Savage

4108 Idlewild Rd Austin, TX



Cassy Shaukat

4114 Idlewild Rd. Austin



Vanith W. Derryberry

4106 Idlewild Rd. Austin



Linda Derryberry

4100 Idlewild Rd - Austin



JOHN SPATTER

4012 IDLEWILD RD. 78731



ROB GOLDING

4008 IDLEWILD RD. 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

ZONING PETITION FOR "THE GROVE AT SHOAL CREEK PUD"
CASE NO. C814-2015-0074
SUBMITTED MARCH 30, 2015

EST. AREA (SF)	ADDRESS	OWNER	TCAD TAX ID
11,074	4006 BULL CREEK	MATTHEW PERRY	121653
1,012	4502 BULL CREEK	TIMOTHY HAHN	122902
19,014	4500 ERIN	BARBARA NICHOLS	226249
8,393	3902 IDLEWILD	ANNE KOHLER	121441
3,746	3903 IDLEWILD	CHRISTINA & BRIAN TORONYI	121444
3,694	3905 IDLEWILD	GARY CULPEPPER	121445
13,216	3906 IDLEWILD	MARIAN ALEXANDER	121440
3,450	4001 IDLEWILD	MARK PORTER	121449
9,405	4002 IDLEWILD	HONORA JACOB	121437
3,250	4003 IDLEWILD	GRANT CLIFTON	121450
9,476	4004 IDLEWILD	JOHN HRNCIR	121436
3,260	4005 IDLEWILD	ROBERT MURRAY LEGGE & DEBORAH LEWIS	121451
9,675	4006 IDLEWILD	DEAN MCCALL	221090
9,501	4008 IDLEWILD	ROBERT GOLDING	221089
2,929	4011 IDLEWILD	ANDREW & CHERIE COULSON	221102
9,526	4012 IDLEWILD	JOHN SPATH	221086
9,619	4100 IDLEWILD	LANITH & LUNDA DERRYBERRY	221084
2,492	4103 IDLEWILD	SALIM KASSAM	221105
15,203	4104 IDLEWILD	TIMOTHY & NAOMI TILTON	221082
2,724	4105 IDLEWILD	DAVID SAVAGE	221106
2,952	4107 IDLEWILD	ROSEANNE GIORANI	221107
9,619	4108 IDLEWILD	JUSTIN TAJCHMAN	221081
13,625	4110 IDLEWILD	JOHN LANDREAUX	221080
14,341	4112 IDLEWILD	BENNETT BRIER & BETTY LITRELL	221079
8,756	4113 IDLEWILD	THOMAS STEWART	221110
21,243	4114 IDLEWILD	AAMER & CASSY SHAUKAT	221078
13,797	4116 IDLEWILD	ERIC & KIM ZIPFEL	221077
20,072	2603 LA RONDE	INGA OVERSTREET	226131
5,666	2605 LA RONDE	STEPHEN SCHOTTMAN	226143
6,217	2607 LA RONDE	MARY BLACKSTOCK	226144
13,269	1900 W 40TH	SABRINA BRADLEY	121654
14,190	1901 W 40TH	PAUL & SUSAN FARMER	121644
5,752	1903 W 40TH	JOAN JUDGE	121642
2,548	1905 W 40TH	MELISSA USHAKOV	121630
14,490	1901 W 41ST	TRACY & MATHEW DAVIS	121652
9,140	1903 W 42ND	DANA SCHRAB	122179
4,396	1905 W 42ND	MARK MONROE	122178
4,805	2802 W 44TH	NICOLE HAMLIN	122929
9,079	2519 W 45TH	ELAINE RUSHING	226270
9,864	2613 W 45TH	BRUCE FENG	226273
8,762	2615 W 45TH	JOSEPH & MAYA CAJAS	226265
12,386	2617 W 45TH	DEBRA MARTIN	226264
10,486	2619 W 45TH	DREW & ANDREA BRADFORD	226263
8,443	2621 W 45TH	GRAYSON COX & DANIEL DELAGARZA	226262
9,655	2623 W 45TH	JEFFREY MAYO	226261
8,272	2629 W 45TH	RYDER JEANES	226258
8,380	2633 W 45TH	LOTHAR & MARGARET FROMMHOLD	226256
8,698	2634 W 45TH	JOHN MOORE	226254
8,543	2635 W 45TH	DANIEL HERNANDEZ	226255
8,340	2639 W 45TH	REZA KOOHRANGPOUR	226253
8,844	2640 W 45TH	BRACKEN WALDEN	226169
9,080	2641 W 45TH	JOSEPHINE MACALUSO	226252
8,437	2643 W 45TH	PHILIP & AMITY CORTOIS	226251
17,320	2645 W 45TH	TONY & FERINAZ ARMAN	226250
16,036	2801 W 45TH	TRUNG NGUYEN	122925
5,226	4112 RIDGELEA	EDNA WARE	221111

511,388 TOTAL AREA CONTRIBUTING TO PETITION
1,560,000 TOTAL AREA ALLOWED TO PETITION (WITHIN 200' OF SITE)

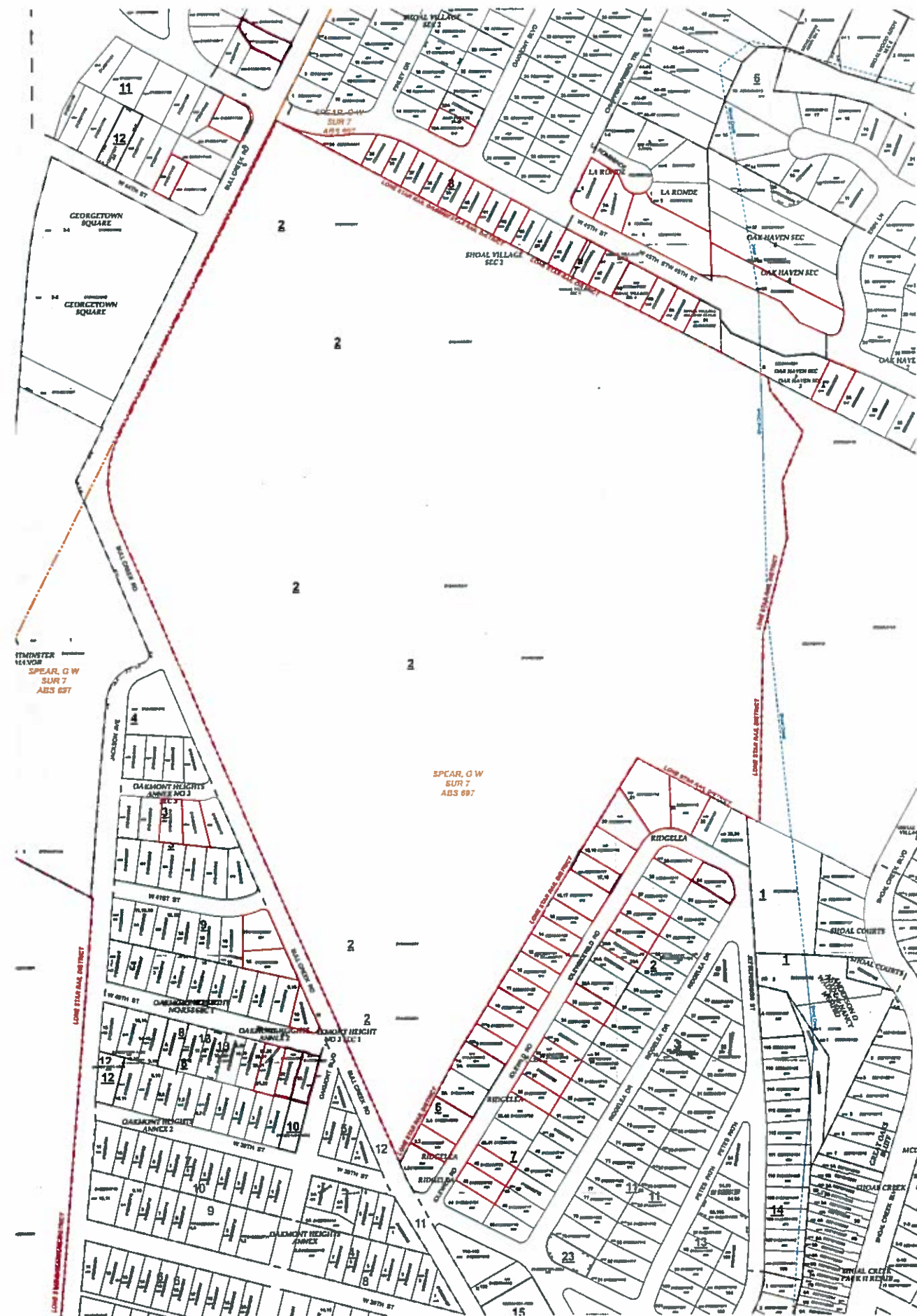
20.0% MINIMUM AREA FOR VALID PETITION
32.8% AREA OF THIS PETITION

SUPPLEMENTAL INFO

576,200 APPROX AREA WITHIN 200' OF SITE NOT SF ZONING (CITY, STATE, APTS, ETC)
983,800 APPROX AREA WITHIN 200' OF SITE SF ZONING

52.0% SF ZONING AREA OF THIS PETITION

*AREAS INCLUDE HALF OF ADJACENT ROW PER CITY GUIDANCE



P E T I T I O N

Date: Wednesday, August 10, 2016

File Number: C814-2015-0074

Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2

Rezoning: SF-2 to PUD

To: Austin City Council

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than SF-2.

In December 2014, William Cannon League Development LLC paid \$46,761,001 for 4205 Bull Creek Road, 75 acres of land previously owned by the State of Texas.¹ William Cannon League Development LLC is a subsidiary of Milestone Community Builders and owned by Garrett Martin, who is a co-owner of ARG Bull Creek Ltd. (“ARG”). ARG is the current owner of the 75-acre tract, and the Applicant in the above-referenced File Number, “The Grove at Shoal Creek Planned Unit Development” (“The Grove”).

As stated above, the legal description for 2627 W. 45th Street is Lot 43, Shoal Village – Section 2 and is shown on the 1950 plat attached as “Exhibit A”. After the land was subdivided, restrictive covenants concerning Shoal Village – Section 2 were adopted, which are attached as “Exhibit B”. Relevant sections of the deed restrictions are as follows:

... Whereas, T.D. Quinn and wife, Mary Rogers Quinn, ... are desirous of rendering said property more desirable for residential purposes by reason of the restrictions and covenants hereinafter imposed on the lands, and each of the separate lots designated thereon ...

NOW, THEREFORE, T.D. Quinn and wife, Mary Rogers Quinn, being the owners of said “Shoal Village” Section Two (2), do hereby impress upon all of the lots contained thereon the following restrictions:

1. No lot shall be used except for residential purposes ...
6. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood ...

In an April 2, 2015 “Bull Creek Site Plan Presentation” plans for The Grove did not include an access drive through 2627 W. 45th Street. A copy of the relevant slide is attached as “Exhibit

¹ ARG’s winning bid was nearly \$7 million more than the second-highest bid.

(<http://www.bizjournals.com/austin/news/2016/07/22/heres-who-wanted-to-develop-grove-at-shoal-creek.html>)

Petition

File Number: C814-2015-0074

Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2

Page 2 of 4

C”.² According to Travis County Appraisal District records, ARG purchased 2627 W. 45th Street on April 23, 2015. A 1,223 square foot home is currently situated on 2627 W. 45th Street. A picture of the home is attached as “Exhibit D”.

The July 9, 2015 iteration of The Grove included a vehicular drive through 2627 W. 45th Street. A copy of this Conceptual Master Plan is attached as “Exhibit E”³, and a copy of the relevant page from the presentation handout is attached as “Exhibit F”.⁴ Item 6(a) of “Exhibit F” states, “Provide pedestrian and vehicular connection to 45th Street with Beacon crossing and ped/bike improvements.” This connection is seen through the lot known as 2627 W. 45th Street. At this time, the PUD application should have been amended to include 2627 W. 45th Street.

In the winter of 2015, one of the property owners who is also subject to the deed restrictions covering Shoal Creek – Section Two sued ARG to enjoin them from violating the subdivision restrictions. Subsequently, the City of Austin Staff recommended that 2627 W. 45th Street be dedicated as a public right-of-way in order to mitigate traffic created by The Grove.

On March 25, 2016, the City of Austin issued a memo stating “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.” This memo is attached as “Exhibit G”.⁵ At a March 30, 2016, “Site Plan Presentation,” ARG presented its plans for the Jackson Avenue extension to 45th Street in accordance with the City’s March 25 memo, attached as “Exhibit H”.⁶

Proposed Code Modifications for The Grove PUD as Presented at the Zoning and Platting Commission on July 14, 2016, attached as “Exhibit I”,⁷ include modifications for the 2627 W. 45th Street lot, including but not limited to:

10. <i>Compatibility Standards, 25-2-1067(G) and (H)</i>	25-2-1067 “(G) Unless a parking area or driveway is on a site that is less than 125 wide, a parking area or driveway may not be constructed 25 feet or less from a lot that is: (1) in an SF-5 or more restrictive zoning district; or (2) on which a use permitted in an SF-5	“Section 25-2-1067(G) and (H) of the Austin City Code shall not apply to Tract A only, with respect to the construction of an alley, public road, trails and/or sidewalks.”
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² Available at: <http://www.thegroveatshoalcreek.com/april2-plan/> by following the link at “Click here to download a PDF of the Conceptual Master Plan”.

³ Available at: <http://www.thegroveatshoalcreek.com/july9-plan/>

⁴ Available at: <http://www.thegroveatshoalcreek.com/july9-plan/> by following the link at “You can click here to download the handout.”

⁵ Available at: <http://www.austintexas.gov/edims/document.cfm?id=257651> (pages 1-2)

⁶ Available at: <http://www.thegroveatshoalcreek.com/march-30-master-plan/>

⁷ Available at: <http://www.austintexas.gov/edims/document.cfm?id=257650>

Petition

File Number: C814-2015-0074

Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2

Page 3 of 4

	or more restrictive zoning district is located.	
26. <i>Classification Design Criteria, Section 1.3.2.B.2</i>	2. Collector, Neighborhood. A neighborhood street is characterized by serving several districts or subdivisions. Neighborhood collector streets provide limited access to abutting property and may provide on-street parking, except where bus routes can be expected. Typically multifamily developments, schools, local retail developments and public facilities are located adjacent to neighborhood collectors. Direct driveway access for detached houses should be discouraged (see Figure 1-28 in Appendix H of this manual for design criteria).	2. Collector, Neighborhood. The Extension of Jackson Avenue in The Grove at Shoal Creek PUD as identified on the Roadway Framework Plan shall be considered a Neighborhood Collector and shall be designed per The Grove at Shoal Creek Design Guidelines. The cross section and any other design information contained in those design guidelines shall supersede any requirements of the Transportation Criteria Manual. All other circulation routes within The Grove including internal circulation routes and alleys shall be considered as private driveways and intersections with these driveways shall be subject to the 50' minimum spacing for Neighborhood Collectors.

At this same July 14 meeting, City of Austin Staff made clear the right-of-way dedication was due to the restrictive covenants, or “subdivision restrictions”, affecting 2627 W. 45th Street, through the following exchange:

Question: Commissioner Jolene Kiolbassa, Zoning and Platting Commission, “Is it correct in my understanding that [the 45th Street/Jackson Avenue extension] is going to be the only public right-of-way on this property?”

Answer: Brian Golden, Austin Development Services Department, “Uh, so, the request for an extension of right-of-way was in response, um, to the request for a code modification to subdivision, uh, subdivision requirements, so um ... that’s why we have asked for an extension of right-of-way.”

An Addendum to “The Grove at Shoal Creek Traffic Impact Analysis” was submitted July 21, 2016, which analyzes the interplay of the Jackson Avenue access point to 45th Street as it relates to the traffic created by The Grove, attached as “Exhibit J”. Discussion of the 2627 W. 45th Street lot and whether it should be required for vehicle access has been discussed in numerous City documents between ARG and official application documents, such as the Land Use Plan, attached as “Exhibit K”, and the Master Framework Plan in The Grove’s Design Guidelines, attached as “Exhibit L”. In fact, the Master Framework Plan shows that the road through 2627

Petition

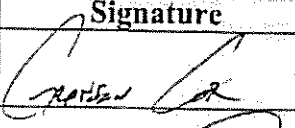
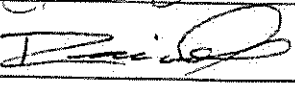
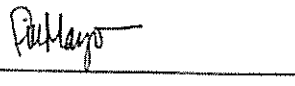
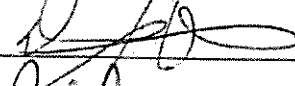
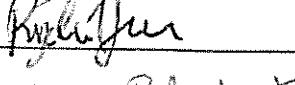
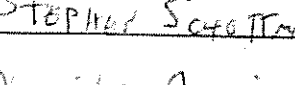
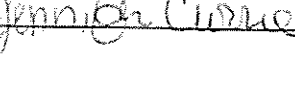
File Number: C814-2015-0074

Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2
Page 4 of 4

W. 45th is a “Primary Framework Element”. Accordingly, the City has decided the right-of-way is required in order for the project to sufficiently mitigate its traffic impact.⁸

It is clear to the undersigned property owners that the City of Austin Staff and ARG are attempting to avoid “subdivision requirements” that prohibit a right-of-way through 2627 W. 45th Street by requiring the lot be dedicated to the City for public right-of-way. Also, by dedicating the land as an off-site improvement, instead including the lot in the PUD application for The Grove, ARG and the City are able to circumvent the Valid Petition Rights Statute, found in Section 211.006(d) of the Local Government Code. The proposed Jackson Avenue Extension to 45th Street is more than an off-site improvement—it is a vehicular access point that would be used for more 1/2 of eastbound traffic on 45th Street entering the site, and approximately 2/3 of the traffic that was estimated to exit the site and travel eastbound on 45th Street, according to the aforementioned July 21 Addendum to the TIA, and vital to the development of The Grove PUD.

Based on these facts, we petition the de facto rezoning of 2627 W. 45th Street from SF-2 to PUD.

Signature	Printed Name	Address	Property TCAD ID
	GRAYSON COX	2621 W 45 th STREET	226262
	DANIEL DELAGARZA	2621 W 45 th Street	226262
	PIMFORN S. MAYO	2623 W. 45 th ST.	226261
	Jeffrey Mayo	2623 W 45 th St.	226261
	Daniel Hernandez	2635 W. 45 th	226255
	Ryder Jeanes	2629 W. 45 th	226258
	MARY BLACKSTOCK	2607 La Roca	226144
	STEPHEN SCOTT	2605 LA Roca	226143
	Jennifer Currie	4500 Chippewee Trl Austin, Tx 78731	226209

Date: 8/11/2016

Contact Name: Pim Mayo, (512) 619-6071

⁸ “... the proposed development *shall* dedicate Jackson Avenue as a public roadway to the City of Austin,” Exhibit G (*emphasis added*).

Petition

File Number: C814-2015-0074

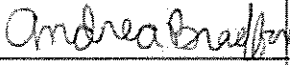
Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2

Page 4 of 4

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Signature	Printed Name	Address	Property TCAD ID
	Andrew Bradford	2619 W. 45th St.	226263
	Andrea Bradford	2619 W. 45th St.	226263

Date: 8/9/16

Contact Name: Pim Mayo, (512) 619-6071

⁸ “... the proposed development *shall* dedicate Jackson Avenue as a public roadway to the City of Austin,” Exhibit G (*emphasis added*).

Petition

File Number: C814-2015-0074

Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2

Page 4 of 4

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Signature	Printed Name	Address	Property TCAD ID
<i>L. Frommhold</i>	L. FROMMhold	2633 W. 45th	226256

Date: 8/11/2016

Contact Name: Pim Mayo, (512) 619-6071

⁸ "... the proposed development *shall* dedicate Jackson Avenue as a public roadway to the City of Austin," Exhibit G (*emphasis added*).

Petition

File Number: C814-2015-0074

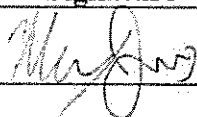
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Page 4 of 4

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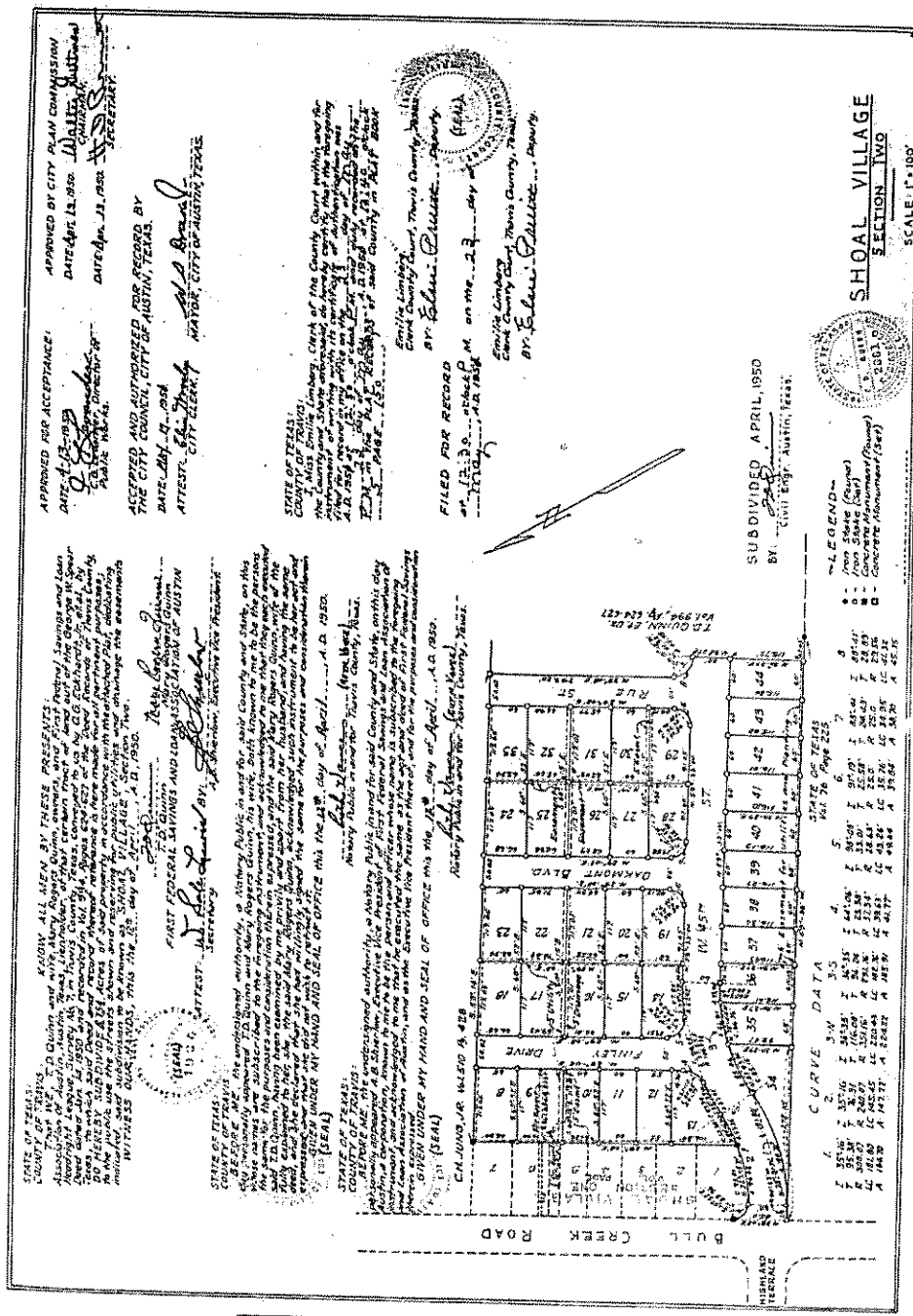
Signature	Printed Name	Address	Property TCAD ID
	Max Jones	4502 Chiapperoil	226208

Date: 8/11/2016

Contact Name: Pim Mayo, (512) 619-6071

⁸ “... the proposed development *shall* dedicate Jackson Avenue as a public roadway to the City of Austin,” Exhibit G (*emphasis added*).

10



THE STATE OF TEXAS
COUNTY OF TRAVIS

WHEREAS, T. D. Quinn and wife, Mary Rogers Quinn, are the owners of that certain tract of land out of the George W. Spear Roadright Leases, Survey No. 7, in Travis County, Texas, as described in Deed from O. G. Eckhardt, Jr., et al. recorded in Vol. 994, Page 664, 667 of the Deed Records of Travis County, Texas, and,

WHEREAS, T. D. Quinn and wife, Mary Rogers Quinn, have formulated and are desirous of adopting a general scheme, or plan, for the purpose of the development and improvement of said property and are desirous of rendering said property more desirable for residential purposes by reason of the restrictions and covenants hereinafter imposed on the lands, and each of the separate lots designated thereon: and,

WHEREAS, T. D. Quinn and wife, Mary Rogers Quinn, have subdivided a portion of said property into a subdivision designated "Shoal Village", Section Two (2), consisting of Lots Numbered 8 to 44 inclusive in accordance with map or plat of record in Book 5, Page 130 of the Plat Records of Travis County, Texas;

NOW, THEREFORE, T. D. Quinn and wife, Mary Rogers Quinn, being the owners of said "Shoal Village" Section Two (2), do hereby impress upon all of the lots contained thereon the following restrictions:

1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than two cars.

2. No building shall be erected, placed, or altered on any lot unless the quality of workmanship and materials, external design, and location with respect to topography and finish grade elevation conform generally and is in reasonable harmony with existing structures on adjoining lots. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line. In the event no suit to enjoin the construction has been commenced prior to the completion thereof, the related covenants of this section shall be deemed to have been fully complied with.

3. No dwelling shall be erected or placed on any lot having a width of less than 55 feet at the minimum building set back line, nor shall any

dwelling to be erected or placed on any lot having an area of less than 6,000 square feet.

4. No dwelling shall be permitted on any lot at a cost of less than \$5,500.00 based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of the covenant to insure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure shall be not less than 950 square feet for a one-story dwelling nor less than 700 square feet for a dwelling of more than one story. One-half (1/2) the ground floor area of attached garages and porches with roofs may be considered as part of the main dwelling structure in computing the area required herein.

5. No building shall be located on any lot nearer than 25 feet to the front lot line or nearer than 12 feet to any side street line. No building shall be located nearer than 5 feet to an interior or rear lot line. The main structure on any lot shall be located not more than 40 feet from the front lot line. Detached garages shall be located on the rear one-fourth (1/4) of any lot.

6. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

7. No structure of a temporary character, trailer, bus, coach, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently, nor shall any truck or trailer be parked on any lot except when parked in an enclosed garage.

8. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

9. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

10. Enforcement of these restrictions and covenants shall be

proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

11. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

WITNESS OUR HANDS, this the 14th day of January, A.D. 1952.

T. D. Quinn
T. D. Quinn

Mary Rogers Quinn
Mary Rogers Quinn

THE STATE OF TEXAS

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared T. D. Quinn and Mary Rogers Quinn, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Mary Rogers Quinn, wife of the said T. D. Quinn, having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said Mary Rogers Quinn, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

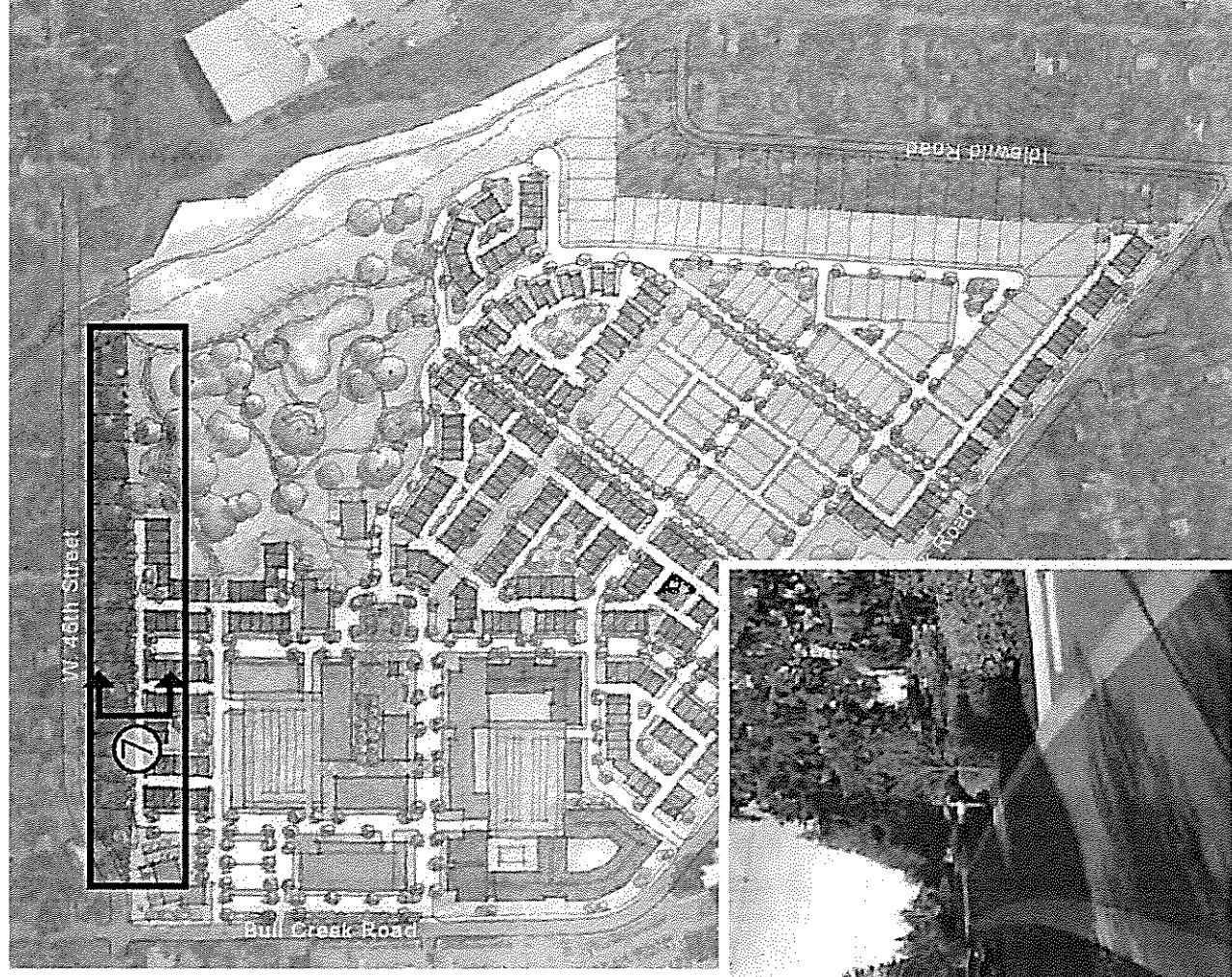
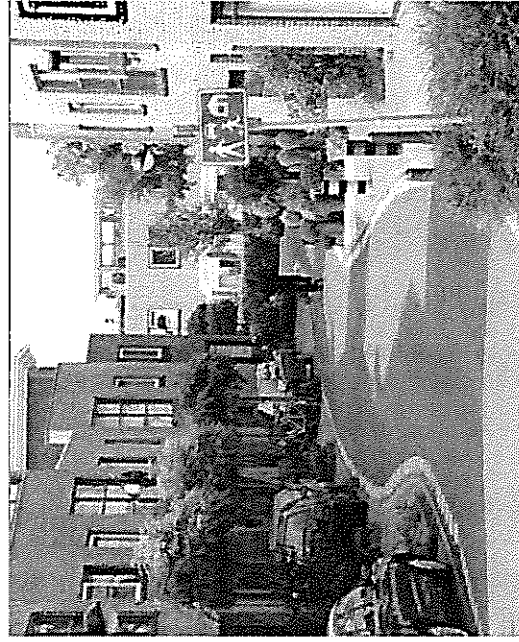
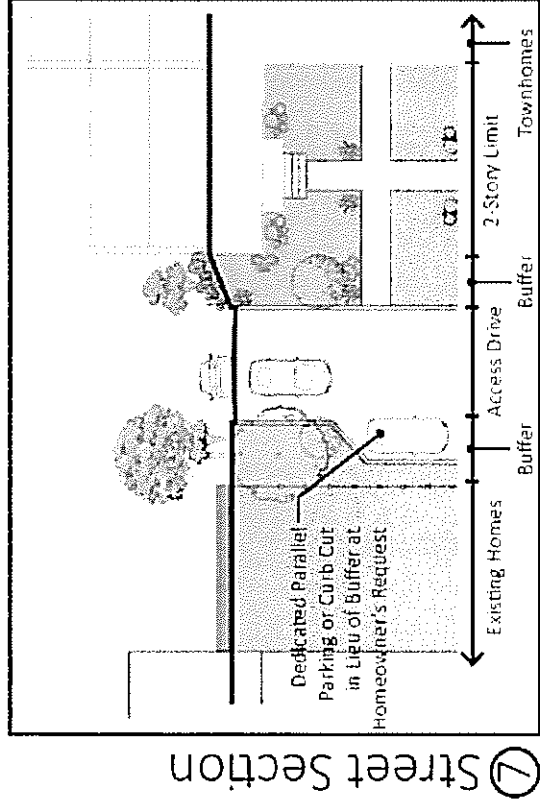
GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 14th day of January, A. D. 1952.

Marion Damm
Marion Damm, Notary Public in and for
Travis County, Texas



Filed for Record January 14, 1952 at 4:00 P.M.
Recorded January 15, 1952 at 10:50 A.M.

Key Elements 45th Street Edge

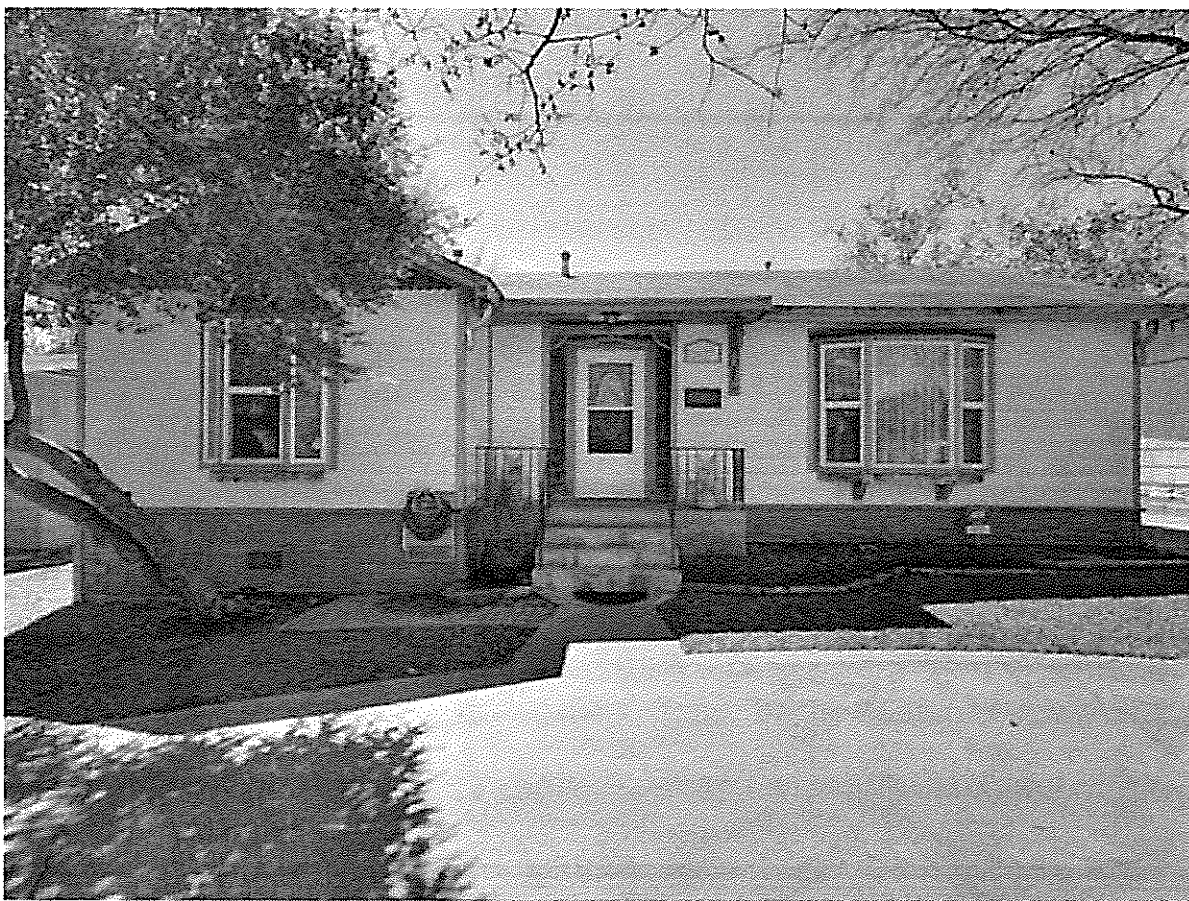


shared-purpose | viable | sustainable | people-oriented | high-quality | inviting

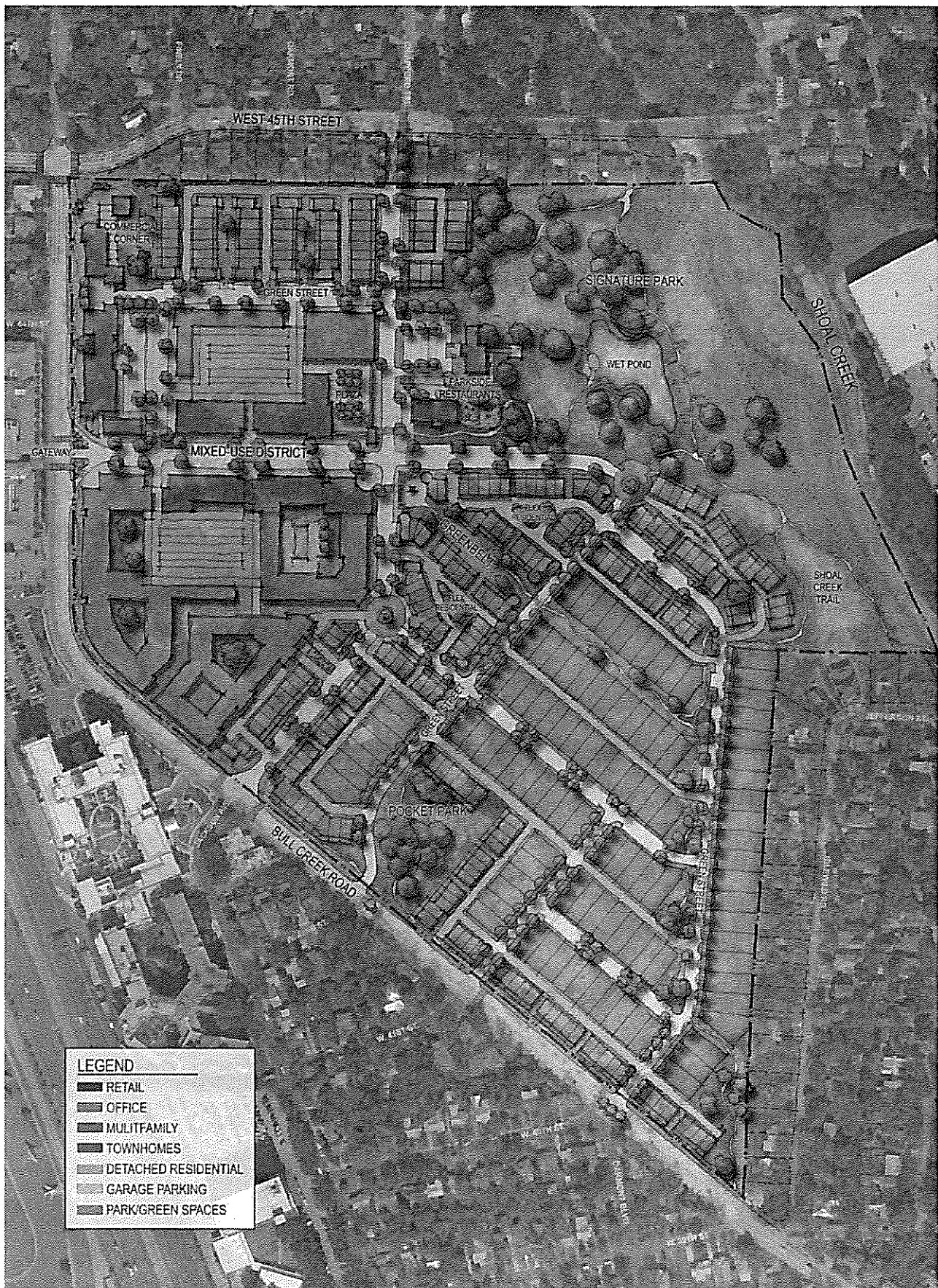
The Grove at Shoal Creek

April 2, 2015

"Exhibit C"

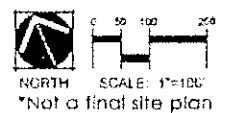


"Exhibit D"



The Grove at Shoal Creek Austin, Texas

"Exhibit E"

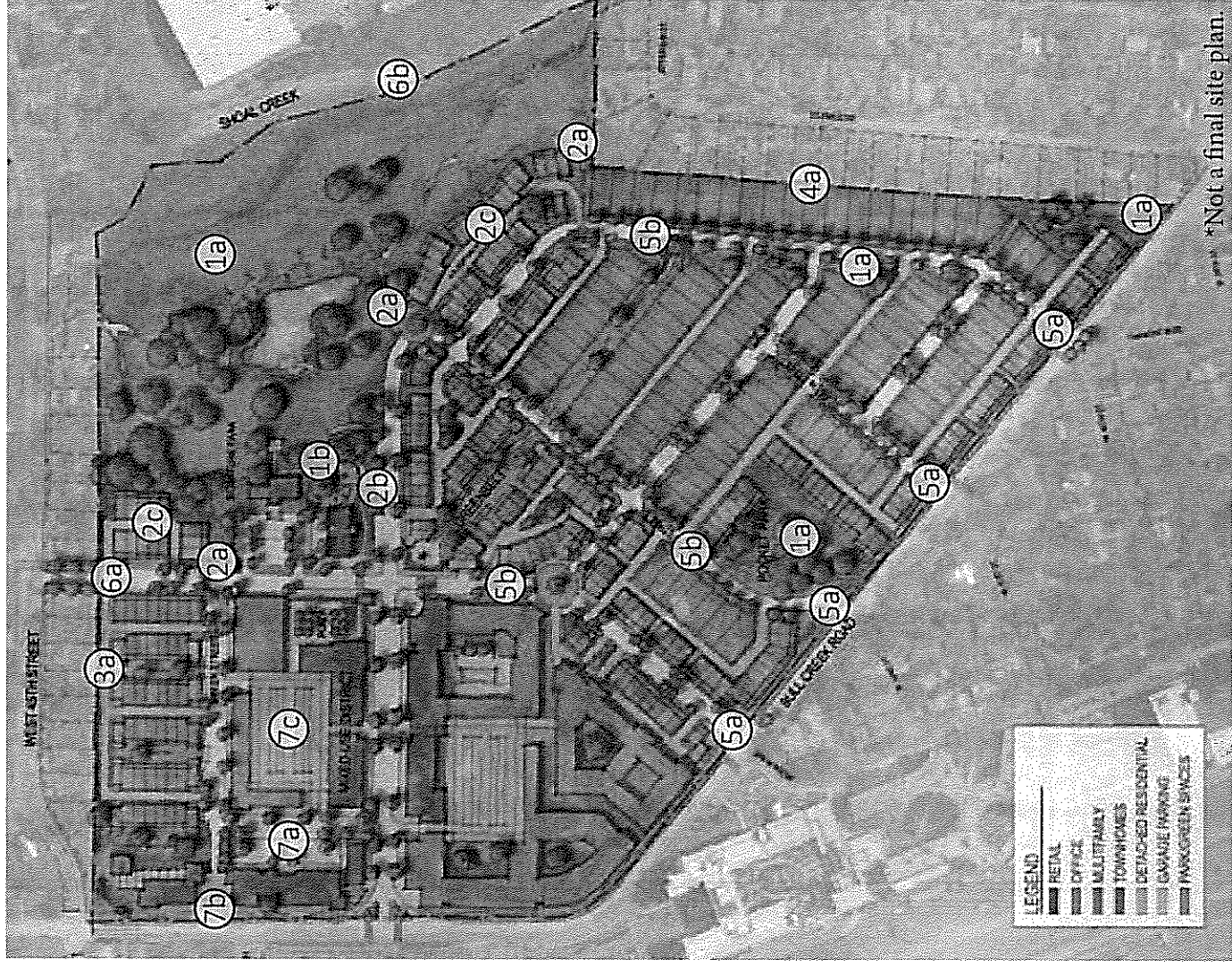


*Not a final site plan

Conceptual Site Plan

Review of Input and Changes:

1. Input: Increase Size of Park
 - a) Increased size of Signature and Pocket Parks and added more small green spaces throughout the plan.
 - b) Redesigned the restaurant layout to be more compatible with the park uses.
2. Input: Improve Public Access to Park
 - a) Improved access routes and gateways into park.
 - b) Added public parking near park.
 - c) Reconfigured townhomes on park to reduce "enclaves".
3. Input: Improve Compatibility to 45th Street Homes
 - a) Increase building setback to 30' and increase commercial setback and 40' height limit to 200'.
 - b) Continue to work with adjacent neighbors to come up with an acceptable alley configuration or other option.
4. Input: Improve Compatibility with Idlewild
 - a) Increased building setback to 35', aligned units where possible, and added green space along edge.
5. Input: Better Connectivity to Oakmont & Ridgelea
 - a) Aligned with the existing street grid at Oakmont Heights and provide protected pedestrian crossings.
 - b) Improved internal circulation routes for both pedestrians and vehicles from southern end of the site into the Signature Park and mixed-use district.
6. Input: Better Connectivity to North and East
 - a) Provide pedestrian and vehicular connection to 45th Street with Beacon crossing and ped/bike improvements.
 - b) Added an easement for future bridge over Shoal Creek.
7. Input: Improve Commercial Corner and Edge on Bull Creek.
 - a) Eliminated surface parking and slip road from Bull Creek.
 - b) Combined service areas for better screening.
 - c) Wrapped parking garage with uses for screening and scale transition.



The Grove at Shoal Creek

July 9, 2015

"Exhibit F"

**ATTACHMENT: MEMORANDUM**

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

Date: March 25, 2016

Project: The Grove At Shoal
Creek

CC: Scott A. James, P.E., PTOE
Development Services Department

From: Eric Bollich, P.E., PTOE
Austin Transportation Department

Re: TIA Comments
(February 2, 2016
Revision)

Page: 1 of 2

The Austin Transportation Department (ATD) 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. **Repeat comment** – The 2018 analysis does not include full build out of the Bull Creek and 45th street intersection. 2018 No Build forecasted operation of this intersection is not acceptable to ATD, regardless of the 2,700 daily trip threshold presented in the TIA. Based on the comprehensive review of the TIA and prior meetings with the Applicant and comments submitted to the Applicant, it is our understanding that this intersection will be fully built out to its ultimate design prior to the completion of Phase 1 of the development. We recommend that the Traffic Phasing Agreement include detailed analysis of the necessary improvements required prior to completion of Phase 1 and subject to ATD review and approval. .
2. It is unclear from the information contained in the TIA as to when the concrete safety barrier in association with the bike lane will be constructed along Bull Creek Road. Based on our meeting with the Applicant, the Applicant has agreed to construct this barrier when Bull Creek Road is reconstructed with proposed improvements.
3. **Repeat comment** – The TIA estimates 14% of site-generated traffic will use Jackson Avenue, more than doubling the total traffic volume on Jackson Avenue. While no additional analysis of Jackson Avenue is required at this time, based on the information submitted in the TIA and reviewed by staff, when a warrant study is conducted for the signal at Jackson Avenue and Bull Creek Road, the Applicant will also study Jackson Avenue south of Bull Creek Road to analyze and propose mitigation needed to address this increase in traffic.



Attachment: Memorandum
February 2, 2016 TIA Comments
The Grove at Shoal Creek
March 25, 2016
Page 2 of 2

Bull Creek Road/45th Street Intersection Plan – Option 1: Not recommended

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

Bull Creek Road/45th Street Intersection Plan – Option 2: Recommended

1. The small grass panels on the northwest, northeast, and southeast corners should 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 Avenue. In addition, no information is shown on Jackson Avenue related to length of turn lanes and tapers. Please show this information.
3. The PHB, crosswalks and landings are not shown at Driveway 4. Please show this information.

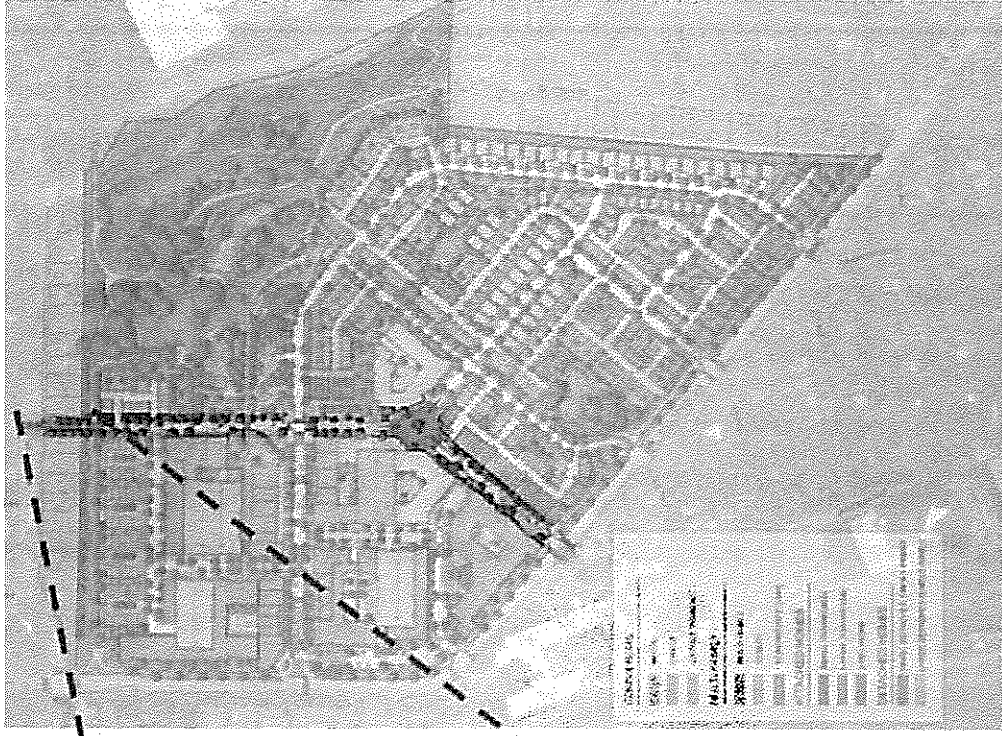
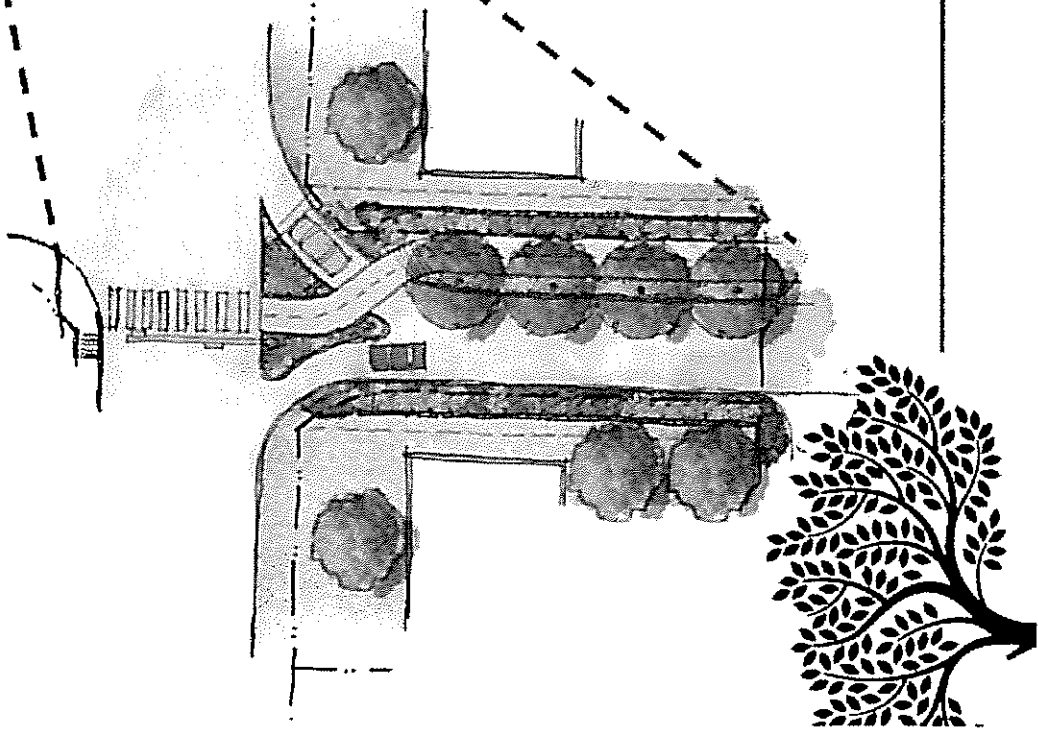
Jackson Avenue / 45th Street

After interdepartmental discussion, the proposed development shall include Jackson Avenue as a public roadway dedicated to the City of Austin. As agreed by the applicant, Lot 43, Section 2, Shoal Village Subdivision, 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 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 at timing to be determined by ATD.

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.

Jackson Avenue



THE GROVE
AT SHOAL CREEK

"Exhibit H"

EXHIBIT E

ATTACHMENT 2

Proposed Code Modifications

CHAPTER 25-1 MODIFICATIONS	CURRENT CODE LANGUAGE	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD
CODE SECTIONS TO BE MODIFIED		
1. <i>Definitions, Article 2, Chapter 25-1-21</i>	"SITE means a contiguous area intended for development, or the area on which a building has been proposed to be built or has been built. A site may not cross a public street or right-of-way."	"SITE means a contiguous area intended for development, or the area on which a building has been proposed to be built or has been built. A site may cross a public street or right-of-way if that public street or right-of-way is within the boundaries of The Grove at Shoal Creek PUD."
2. <i>Parkland Requirements, Article 14, Chapter 25-1 and 25-4-211</i>	25-1-602(A) "A subdivider or site plan applicant shall provide for the parkland needs of the residents by the dedication of suitable parkland for park and recreational purposes under this article."	"Section 25-1-602 (Dedication of Parkland Required) is modified to provide that subdivider or site plan applicant shall provide for the parkland needs of the residents by providing suitable parkland for park and recreational purposes under the terms of The Grove at Shoal Creek Parks Plan and Parkland Improvement Agreement attached as exhibits to Planned Unit Development Ordinance No. "
3. <i>Gross Floor Area, 25-2-21(44)</i>	25-1-21 "(44) GROSS FLOOR AREA means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls."	"(44) GROSS FLOOR AREA means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls. The term includes loading docks and excludes atria airspace,

"Exhibit I"

	The term includes loading docks and excludes atria airspace, parking facilities, driveways, and enclosed loading berths and off-street maneuvering areas.”	parking facilities, parking structures, driveways, and enclosed loading berths and off-street maneuvering areas.”
CHAPTER 25-2 MODIFICATIONS		
CODE SECTIONS TO BE MODIFIED		
4. <i>Site Development Regulations, 25-2-492</i>	Not applicable.	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD The Applicant proposes that the site development regulations applicable to the Property be as shown on the Land Use Plan
5. <i>Site Development Regulations, 25-2-492 and Height, 25-1-21(47)</i>	City staff interprets a parking level to be a “story” for the purposes of determining compliance with site development regulations.	“In determining compliance with the applicable height limitations, a parking level shall not be and is not considered a ‘story’.”
6. <i>Visual Screening, 25-2-1006</i>	25-2-1006 Visual Screening of certain features	“Section 25-2-1006 (A) shall not apply to any water quality and/ or storm water drainage facility that serves as an amenity or to any Green Storm Water Quality Infrastructure as defined in the Environmental Criteria Manual, except that any green infrastructure hardened outfalls and control structures should still be buffered from public ROW. Section 25-2-1006 (C) shall not apply between uses or sites that are both located within the PUD boundaries. This section shall still apply at the boundaries of the PUD.”
7. <i>Planned Unit Development Regulations, Chapter 25-2, Subchapter B, Article 2, Division 5, Section 3.2.3.D.1</i>	“D. the minimum front yard and street side yard setbacks, which must be not less than the greater of:	“Chapter 25-2, Subchapter B, Article 2, Division 5, Section 3.2.3.D.1 shall not apply to the PUD. Notwithstanding the foregoing the remainder of that section

	1. 25 feet for a front yard, and 15 feet for a street side yard; or"	shall apply to the PUD."
8. <i>Compatibility Standards, Chapter 25-2, Article 10</i> <i>NOTE: This Code modification only applies where the triggering property is located within the PUD. This Code modification does not apply where the triggering property is located outside the PUD. This Code modification is identical to the one granted in the Mueller PUD</i>	Chapter 25-2, Article 10, Compatibility Standards applied to triggering property within the PUD only	"Chapter 25-2, Article 10 (Compatibility Standards) does not apply only where development within the PUD triggers such compatibility standards. Notwithstanding the foregoing, Chapter 25-2, Article 10 (Compatibility Standards) shall apply, except as provided herein, where development outside of the PUD triggers such compatibility standards."
9. <i>Compatibility Standards, 25-2-1063(C)(2) and (3)</i>	25-2-1063(C) "(2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property: (a) in an SF-5 or more restrictive zoning district; or (b) on which a use permitted in an SF-5 or more restrictive zoning district is located; (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive;"	"In the rectangular area of land in Tract B that is bounded by (i) the property line adjacent to Bull Creek Road on the west, (ii) a line 240 feet east from the property line adjacent to Bull Creek Road on the east, (iii) a line that is 200 feet south of the northern property line on the north, and (iv) a line that is 630 feet south of the northern property line on the south, Section 25-2-1063(C) (2) of the Austin City Code shall not apply, and Section 25-2-1063(C)(3) is modified to read to provide that for a structure more than 50 feet but not more than 300 feet from the property zoned SF-5 or more restrictive, height may be limited to 60'."
10. <i>Compatibility Standards, 25-2-1067(G) and (H)</i>	25-2-1067 "(G) Unless a parking area or driveway is on a site that is less than 125 feet wide, a parking area or driveway may not be constructed 25 feet or less from a	"Section 25-2-1067(G) and (H) of the Austin City Code shall not apply to Tract A only, with respect to the construction of an alley, public road, trails and/or sidewalks."

	lot that is: (1) in an SF-5 or more restrictive zoning district; or (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.”	
11. <i>Commercial Design Standards, Subchapter E, Chapter 25-2</i>	Chapter 25-2, Subchapter E, Design Standards and Mixed Use	“The Grove at Shoal Creek Design Guidelines generally address the physical relationship between commercial and other nonresidential development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to implement the City Council’s vision for a more attractive, efficient, and livable community. The requirements of Chapter 25-2, Subchapter E of the Austin City Code shall not apply to the property. All requirements in the Austin City Code that reference Chapter 25-2, Subchapter E shall be modified to refer to such Design Guidelines.”
CHAPTER 25-4 MODIFICATIONS		
CODE SECTIONS TO BE MODIFIED		
12. <i>Alleys, 25-4-132(B)</i>	25-4-132 “(B) Off-street loading and unloading facilities shall be provided on all commercial and industrial lots, except in the area described in Subsection (C). The subdivider shall note this requirement on a preliminary plan and a plat.”	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD “Off-street loading and unloading shall be provided on all commercial lots, except that loading and unloading may also occur in any alley that also serves as a fire lane. The subdivider shall note this requirement on a preliminary plan and a plat.”
13. <i>Block Length, 25-4-153</i>	25-4-153 Block Length requirements	“Section 25-4-153 of the Austin City Code shall not apply to the property.”
14. <i>Secondary Street Access, 25-4-157</i>	Section 25-4-157 – Subdivision Access Streets	“Section 25-4-157 of the Austin City Code shall not apply to the property.”

15. <i>Lots on Private Streets, 25-4-171(A)</i>	"(A) Each lot in a subdivision shall about a dedicated public street."	"(A) Each lot in a subdivision shall about a public street, private street or private drive subject to a permanent access easement."
16. <i>Parkland Requirements, Article 14, Chapter 25-1 and 25-4-211</i> <i>[NOTE: this is the same as No. 1 above]</i>	25-4-211 "The platting requirement for parkland dedication is governed by Chapter 25-1, Article 14 (Parkland Dedication)."	"The platting requirement for parkland dedication is modified to provide that such requirement is governed by the terms of The Grove at Shoal Creek Planned Unit Parks Plan and Parkland Improvement Agreement attached as exhibits to Development Ordinance No. _____."
17. <i>Public Street Alignment, 25-4-151</i>	25-4-151 "Streets of a new subdivision shall be aligned with and connect to existing streets on adjoining property unless the Land Use Commission determines that the Comprehensive Plan, topography, requirements of traffic circulation, or other considerations make it desirable to depart from the alignment or connection."	"Notwithstanding Section 25-4-151 of the Austin City Code, the private drives and/ or private streets within the property may be aligned with and connect to existing or future streets on adjoining property."
18. <i>Dead-End Streets, 25-4-152(A)</i>	25-4-152 "(A) A street may terminate in a cul-de-sac if the director determines that the most desirable plan requires laying out a dead-end street."	"A street may terminate in a cul-de-sac if the director determines that the most desirable plan requires laying out a dead-end street, or may terminate in a connection with the private drives and/ or private streets within the property."
CHAPTER 25-6 MODIFICATIONS		
CODE SECTIONS TO BE MODIFIED		
19. <i>Street Design, 25-6-171(A)</i>	"(A) Except as provided in Subsections (B) and (C), a roadway, street, or alley must be designed and constructed in accordance with the Transportation	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD "A roadway, private drive, street or alley must be designed and constructed in accordance with The Grove at Shoal Creek Design Guidelines. The Transportation

	Criteria Manual and City of Austin Standards and Standard Specifications shall apply to the extent they do not conflict with The Grove at Shoal Creek Design Guidelines.”	Criteria Manual and City of Austin Standards and Standard Specifications.
CHAPTER 25-8 MODIFICATIONS		
CODE SECTIONS TO BE MODIFIED	CURRENT CODE LANGUAGE	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD
20. <i>Heritage Trees, 25-8-641(B)</i>	“(B) A permit to remove a heritage tree may be issued only if a variance is approved under Section 25-8-642 (<i>Administrative Variance</i>) or 25-8-643 (<i>Land Use Commission Variance</i>).”	“A permit to remove a heritage tree may be issued only if: (1) a variance is approved under Section 25-8-642 (Administrative Variance) or (25-8-643) Land Use Commission Variance, or (2) the tree is indicated as “Trees that May Be Removed” on The Grove at Shoal Creek Tree Survey and Disposition Plan as attached to The Grove at Shoal Creek Planned Unit Development Ordinance No. _____ . Sections 25-8-642 and 25-8-643 shall not apply to the trees indicated as “Trees that May Be Removed” on The Grove at Shoal Creek Tree Survey and Disposition Plan. Specifically, the Heritage Trees that may be removed under this paragraph are identified as tag numbers 3076, 3077, 3078, 3079, 3080, 3201, 3202, 3203, 3204, 3207, and 3232. A permit issued under 25-8-642 (A) (2) shall require mitigation at the rates prescribed on The Grove at Shoal Creek

		Tree Survey and Disposition Plan. (3) Administrative variances under 25-8-642 for trees indicated to be saved on The Grove at Shoal Creek Tree Survey and Disposition Plan may be granted only for trees that are dead, diseased, or hazardous under paragraph (A) of that section. Variances for removal under Paragraph (C) for reasonable use shall not be allowed for these trees."
CHAPTER 25-10 MODIFICATIONS		
CODE SECTIONS TO BE MODIFIED	CURRENT CODE LANGUAGE	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD
<i>21. 25-10-1 - Applicability</i>	25-10-1 – Applicability	"(D) To the extent they are in conflict, the signage standards set forth in the Design Guidelines for The Grove at Shoal Creek shall supersede this chapter."
<i>22. 25-10-103 – Signs Prohibited in the Public Right-of-Way.</i>	25-10-103 – Signs Prohibited in the Public Right-of-Way.	"Section 25-10-103 of the Austin City Code shall not apply to the public Right-of-Way dedicated for the Jackson Avenue Extension within the boundaries of The Grove at Shoal Creek PUD as identified on the Roadway Framework Plan."
<i>23. 25-10-191 – Sign Setback Requirements.</i>	25-10-191 – Sign Setback Requirements.	"Section 25-10-191 of the Austin City Code shall not apply for setbacks from the public Right-of-Way dedicated for the Jackson Avenue Extension within the boundaries of The Grove at Shoal Creek PUD as identified on the Roadway Framework Plan."
DRAINAGE CRITERIA MANUAL MODIFICATIONS		

DCM SECTIONS TO BE MODIFIED	CURRENT DCM LANGUAGE	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD
24. <i>Fencing Requirements for Drainage Facilities, Section 1.2.4.E.1(a)</i>	DCM Section 1.2.4.E "1. (a) Where a portion of the stormwater facility either has an interior slope or wall steeper than three (3) feet horizontal to one (1) foot vertical with a height exceeding one (1) foot, or, an exterior slope or wall steeper than three (3) feet horizontal to one (1) foot vertical with a height exceeding three (3) feet above adjacent ground, barrier-type fences at least six (6) feet high, and/or steel grating are required for all single-family or duplex residential development, City maintained stormwater facilities, and/or for any privately maintained stormwater facilities located within 500 feet of a residential structure. Barrier type fences include, but are not limited to chain link, solid wood, masonry, stone or wrought iron."	"1. (a) Where a portion of the stormwater facility either has an interior slope or wall steeper than three (3) feet horizontal to one (1) foot vertical with a height exceeding one (1) foot, or, an exterior slope or wall steeper than three (3) feet horizontal to one (1) foot vertical with a height exceeding three (3) feet above adjacent ground, steel grating is required for all single-family or duplex residential development, City maintained stormwater facilities, and/or for any privately maintained stormwater facilities located within 500 feet of a residential structure.
ENVIRONMENTAL CRITERIA MANUAL MODIFICATIONS		
ECM SECTIONS TO BE MODIFIED	CURRENT ECM LANGUAGE	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD
25. <i>Maintenance Responsibilities for Water Quality Control Facilities, Section 1.6.3.A.4</i>	4. obtain final warranty release approval from the Watershed Protection Department. The City will also maintain water	"4. obtain final warranty release approval from the Watershed Protection Department. Water quality control facilities at The Grove at Shoal Creek

	quality control facilities designed to service primarily publicly owned roads and facilities. These water quality control facilities must be designed and built according to the appropriate city standards.	PUD that treat publicly owned roads and facilities within and adjacent to The Grove at Shoal Creek PUD may be privately maintained."
TRANSPORTATION CRITERIA MANUAL MODIFICATIONS		
TCM SECTIONS TO BE MODIFIED	CURRENT TCM LANGUAGE	PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD
26. <i>Classification Design Criteria, Section 1.3.2.B.2</i>	2. Collector, Neighborhood. A neighborhood collector street is characterized by serving several districts or subdivisions. Neighborhood collector streets provide limited access to abutting property and may provide on-street parking, except where bus routes can be expected. Typically multifamily developments, schools, local retail developments and public facilities are located adjacent to neighborhood collectors. Direct driveway access for detached houses should be discouraged (see Figure 1-28 in Appendix H of this manual for design criteria).	2. Collector, Neighborhood. The Extension of Jackson Avenue in The Grove at Shoal Creek PUD as identified on the Roadway Framework Plan shall be considered a Neighborhood Collector and shall be designed per The Grove at Shoal Creek Design Guidelines. The cross section and any other design information contained in those design guidelines shall supersede any requirements of the Transportation Criteria Manual. All other circulation routes within The Grove including internal circulation routes and alleys shall be considered as private driveways and intersections with these driveways shall be subject to the 50' minimum spacing for Neighborhood Collectors.
27. <i>Classification Design Criteria, Section 1.3.2.F</i>	F. Single Outlet Streets	"The Jackson Avenue Extension shall not be considered a Single Outlet Street upon

		the construction of any publicly accessible private street, drive, or internal circulation route that is open to the public and connects Jackson Avenue to Bull Creek Road.”
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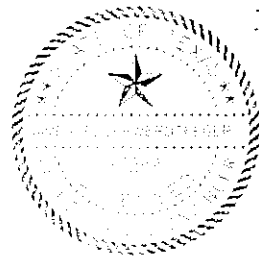
ADDENDUM

to

The Grove at Shoal Creek

Traffic Impact Analysis

Prepared for
ARG Bull Creek LTD



7/21/16

James Schwarzbiger

Prepared by:



Big Red Dog – Traffic, LLC
Texas P.E. Firm Registration No. F-17778

Submittal: July 21, 2016

"Exhibit J"

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Appendices

Appendix A – Synchro Output

EXECUTIVE SUMMARY

This addendum presents a summary of additional analysis and findings to the approved Traffic Impact Analysis (TIA) via Staff Memo dated July 11, 2016.

As has been fully disclosed to and acknowledged by the City of Austin transportation review staff in Public Works, DSD and ATD for many months, the proposed 4-lane northbound approach of Bull Creek Road requires the acquisition of a very small amount of right-of-way. This right-of-way has public benefit independent of the Grove at Shoal Creek. In approving the TIA, however, City of Austin staff does NOT require that this right-of-way be acquired prior to final zoning approval, but acknowledged that if this right-of-way were unavailable at the time of site plan review, such unavailability “may affect site plan review and approval.” The Applicant understands and has accepted this condition. Nevertheless, in response to questions raised by the Zoning and Platting Commission concerning how the 45th Street and Bull Creek Road intersection would operate if the right-of-way were not acquired, and in an abundance of caution, the Applicant wishes to provide this Addendum to the TIA for staff’s review that demonstrates that traffic can be fully mitigated even without the acquisition of the right-of-way.

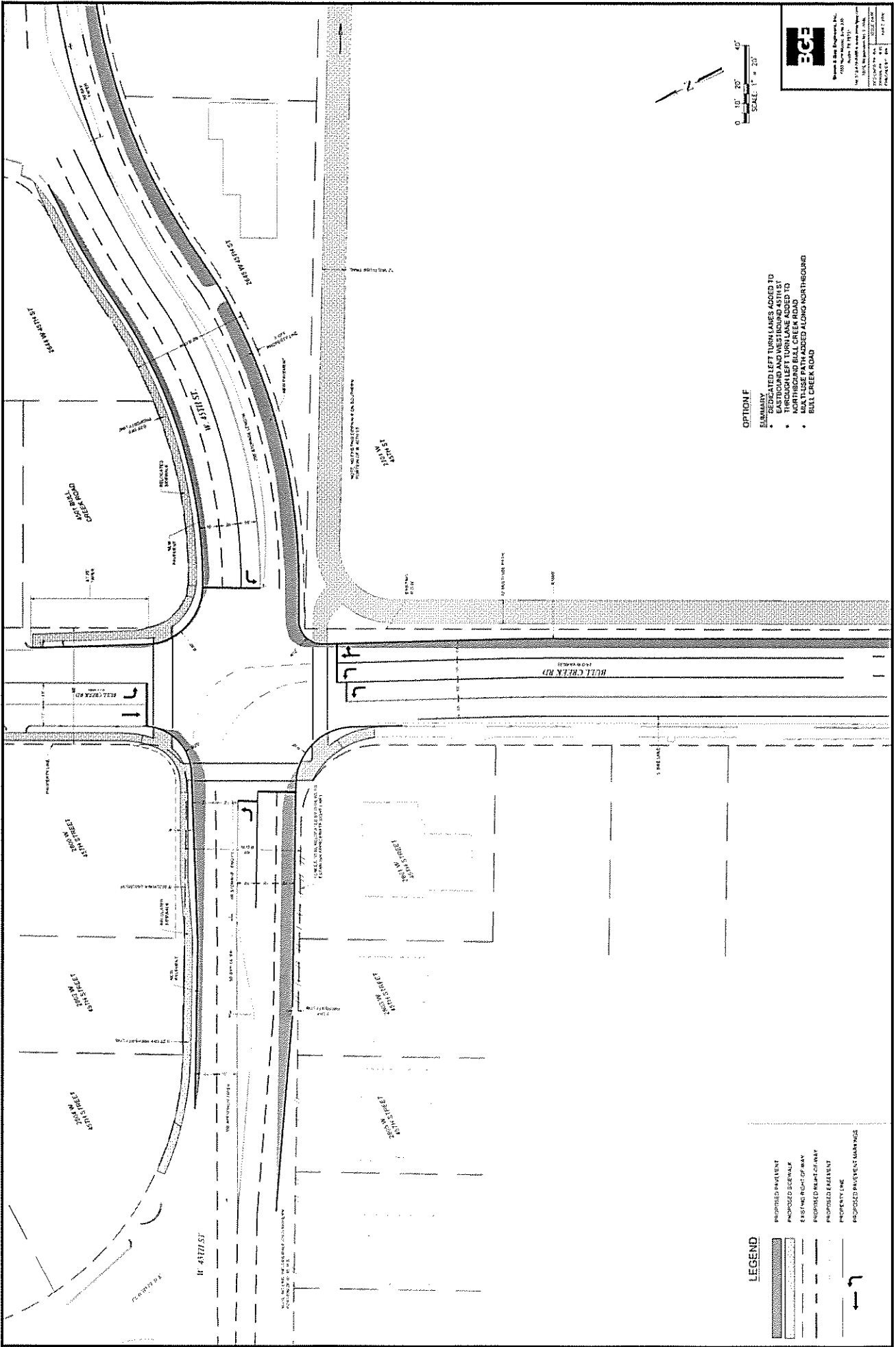
Further analysis was performed that analyzed the northbound approach of Bull Creek Road at 45th Street with three lanes, dual left turn lanes and one shared through/right turn lane. The analysis considers three scenarios, in which, the extension of Jackson Avenue to 45th Street is not constructed, the extension is constructed as a right-in/right-out and the extension is constructed as a right out only. The results of this additional analysis within this Addendum demonstrates that the traffic is mitigated even without the right-of-way being acquired and if the northbound approach of Bull Creek Road is constructed with three-lanes.

Study Purpose

This Addendum report presents a summary of findings of the analysis of the northbound approach of Bull Creek Road at 45th Street as a three-lane section, including dual left turn lanes and a shared through/right turn lane. This proposed configuration can be entirely contained within the existing ROW. The analysis was performed for the AM and PM peaks for full build out conditions in 2024. It also considers three separate scenarios in regards to the Jackson Avenue extension, 1) intersection with 45th Street is not constructed, 2) intersection is constructed as right-in/right-out access, 3) intersection is constructed as right-out only.

The following exhibits provided by Brown & Gay Engineers (BGE) are of the following:

- Conceptual exhibit showing the northbound Bull Creek Road approach with three lanes
- Conceptual Jackson Avenue connection to 45th Street as a right-in/right-out
- Conceptual Jackson Avenue connection to 45th Street as a right-out only



OPTION F

- SUMMARY**
- SEGREGATED LEFT TURN LANES ADDED TO EASTBOUND AND WESTBOUND 43TH ST
 - THROUGH LEFT TURN LANE ADDED TO WESTBOUND 43TH ST
 - NEW SIDEWALK ADDED TO EASTBOUND 43TH ST
 - NEW SIDEWALK ADDED TO WESTBOUND 43TH ST
 - NEW SIDEWALK ADDED TO BULL CREEK RD
 - NEW SIDEWALK ADDED TO BULL CREEK RD

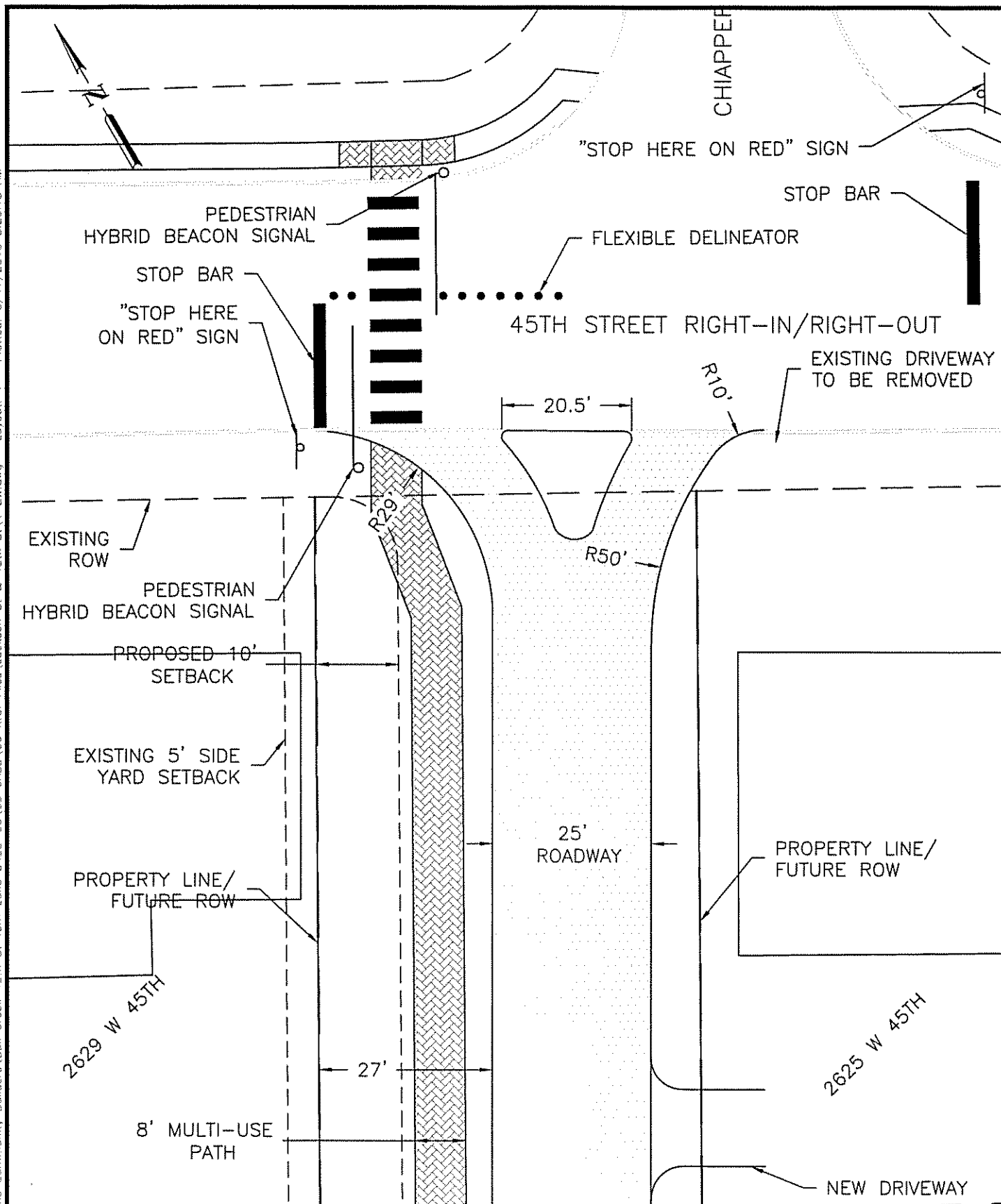
LEGEND

- PROPOSED PAVEMENT
- PROPOSED SIDEWALK
- EXISTING RIGHT-OF-WAY
- PROPOSED RIGHT-OF-WAY
- PROPOSED EASEMENT
- PROPERTY LINE
- PROPOSED PAVEMENT MARKINGS

BCE

Bureau & Co. Engineers, Inc.
1000 North 10th St., Suite 100
Ogden, UT 84403
Tel: 435-243-1000
Fax: 435-243-1001
www.bureauandco.com

V:\01\Projects\Milestone Community Builders\Bull Creek 45th St Turn Lane 3455-00\03 CAD\06 Xref Files\Jackson St & 45th St\1 BW.dwg Layout: 1 Plotted: 6/17/2016 8:20:18 AM



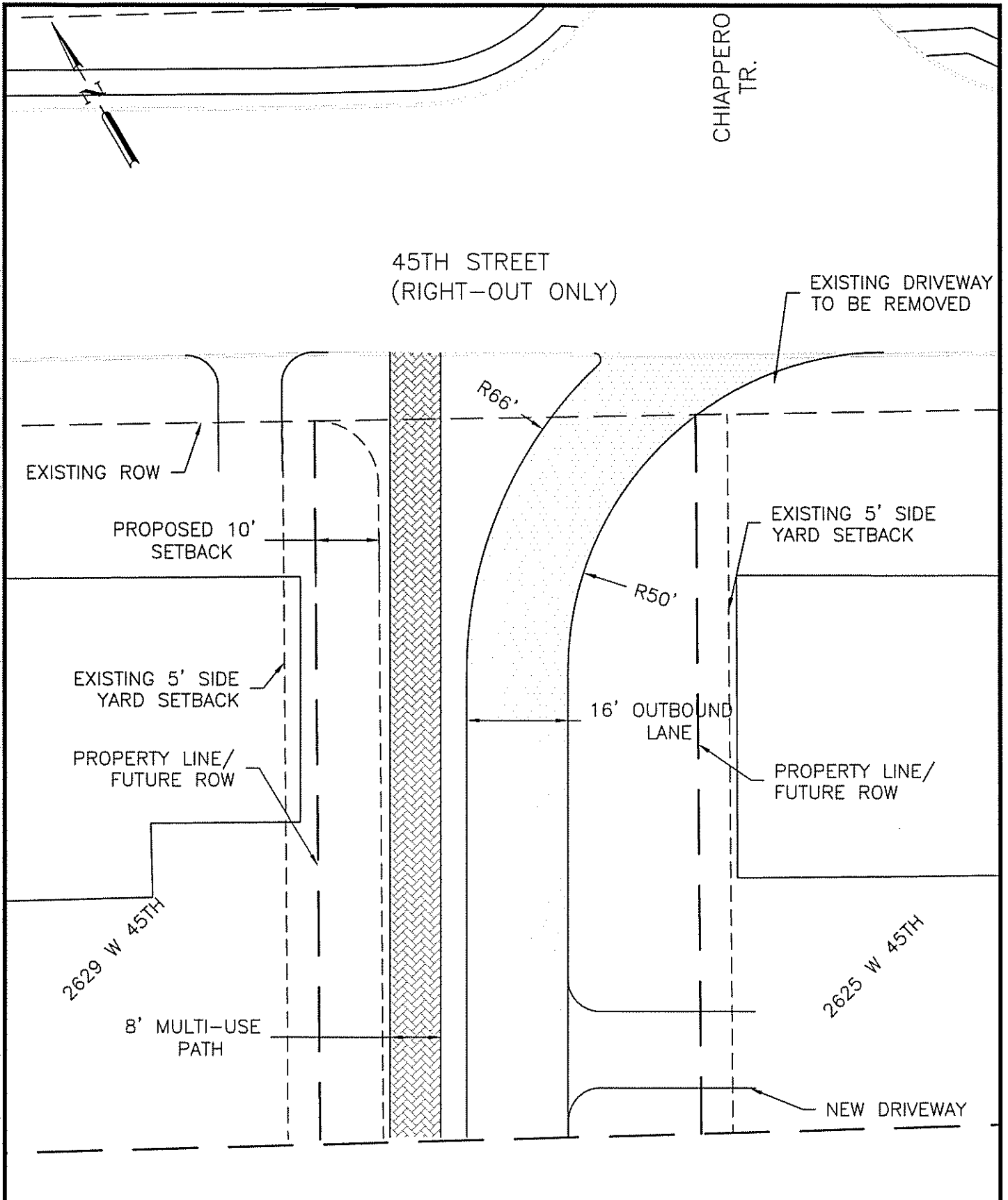
CONCEPTUAL DRIVEWAY WITH
AUTO TURN PLAN

THE GROVE
JACKSON STREET & 45TH STREET

BROWN & GAY ENGINEERS, INC.
7009 NORTH MOPAC, SUITE 330 AUSTIN,
TX 78731 TBPE Registration No. F-1046
TEL. 512-879-6481 www.browngay.com



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CONCEPTUAL DRIVEWAY PLAN

THE GROVE
JACKSON STREET & 45TH STREET

BROWN & GAY ENGINEERS, INC.
7000 NORTH MOPAC, SUITE 330 AUSTIN,
TX 78731 TPBE Registration No. F-1046
TEL 512-879-0400 www.browngay.com



Assumptions/Distribution

In the three analyzed scenarios, the northbound Bull Creek approach was assumed to be three lanes, dual lefts and one shared through/right lane. This maintains the dual left turn lane while combining the separate through and right turn lanes as assumed in the original TIA.

No Jackson Avenue extension connecting to 45th Street

A scenario was analyzed that assumed the extension of Jackson Avenue does not connect to 45th Street as the accepted TIA also assumes. No traffic changes were made.

Jackson Avenue extension with 45th Street assumed to be Right-in/Right-out

A second scenario was analyzed that assumed Jackson Avenue intersection with 45th Street would allow for right-in/right-out access. In regards to entering traffic, it was assumed that 140 and 150 vehicles may enter the proposed Jackson Avenue connection for the AM and PM peaks, respectively. This assumption estimates just over 50% of eastbound traffic on 45th Street will use this entrance as opposed to turning right onto Bull Creek to access the site. This estimate was made due to the proposed connection providing easy access to the commercial uses as well as the residential uses located centrally and/or easterly within the property. In regards to exiting traffic, it was assumed that 95 and 100 vehicles may exit the proposed Jackson Avenue connection for the AM and PM peaks, respectively. These volumes are approximately 2/3rds of the traffic that was estimated to exit the site and travel eastbound on 45th Street. This distribution was assumed because of this intersections appeal to drivers via simple and easy access to 45th Street and avoiding the need to access Bull Creek Road.

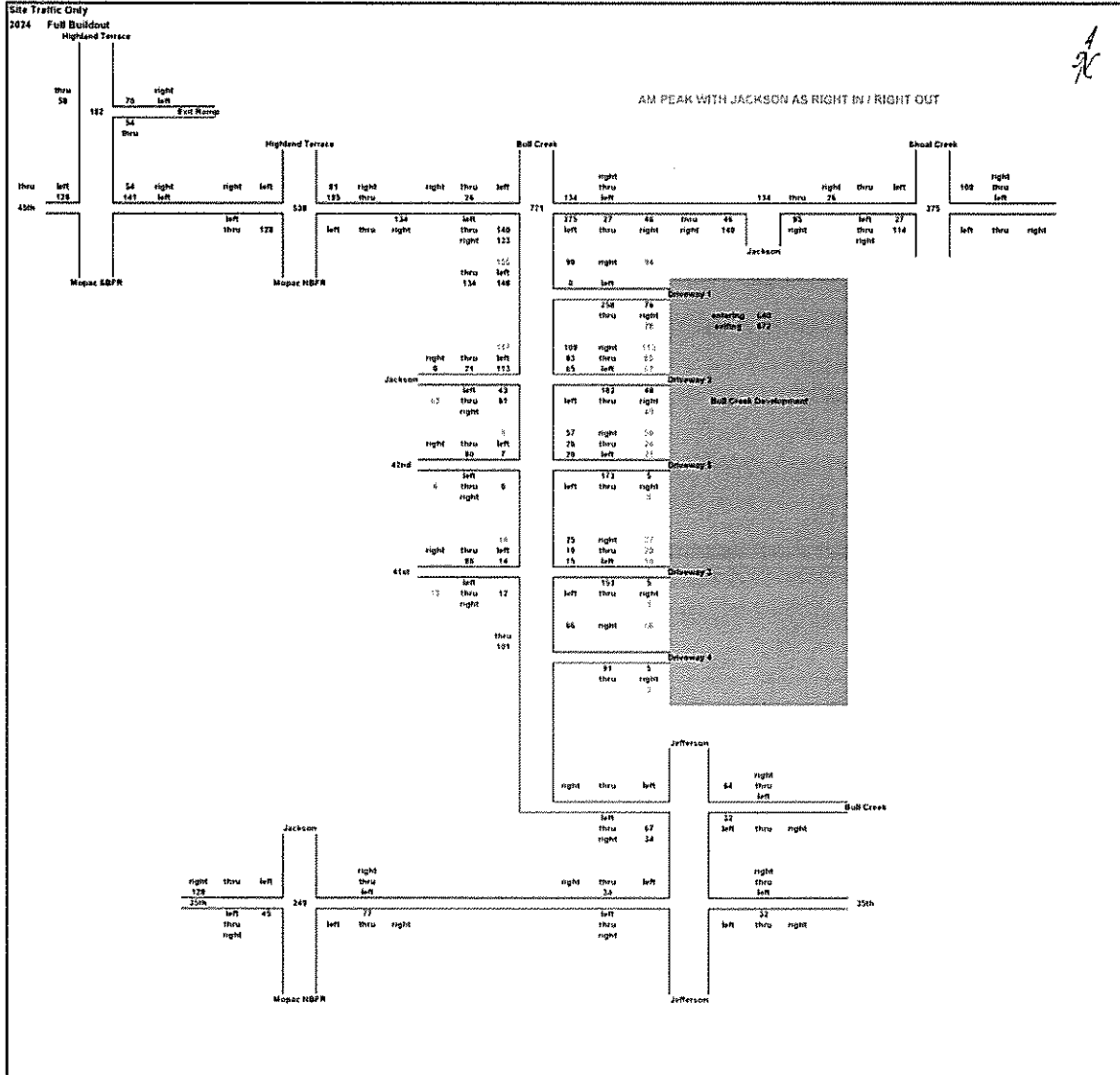
Jackson Avenue extension with 45th Street assumed to be Right-out only

A third scenario was also analyzed that assumed the Jackson Avenue intersection with 45th Street would allow for right-out only egress. The same exiting volumes listed in the previously described scenario were used.

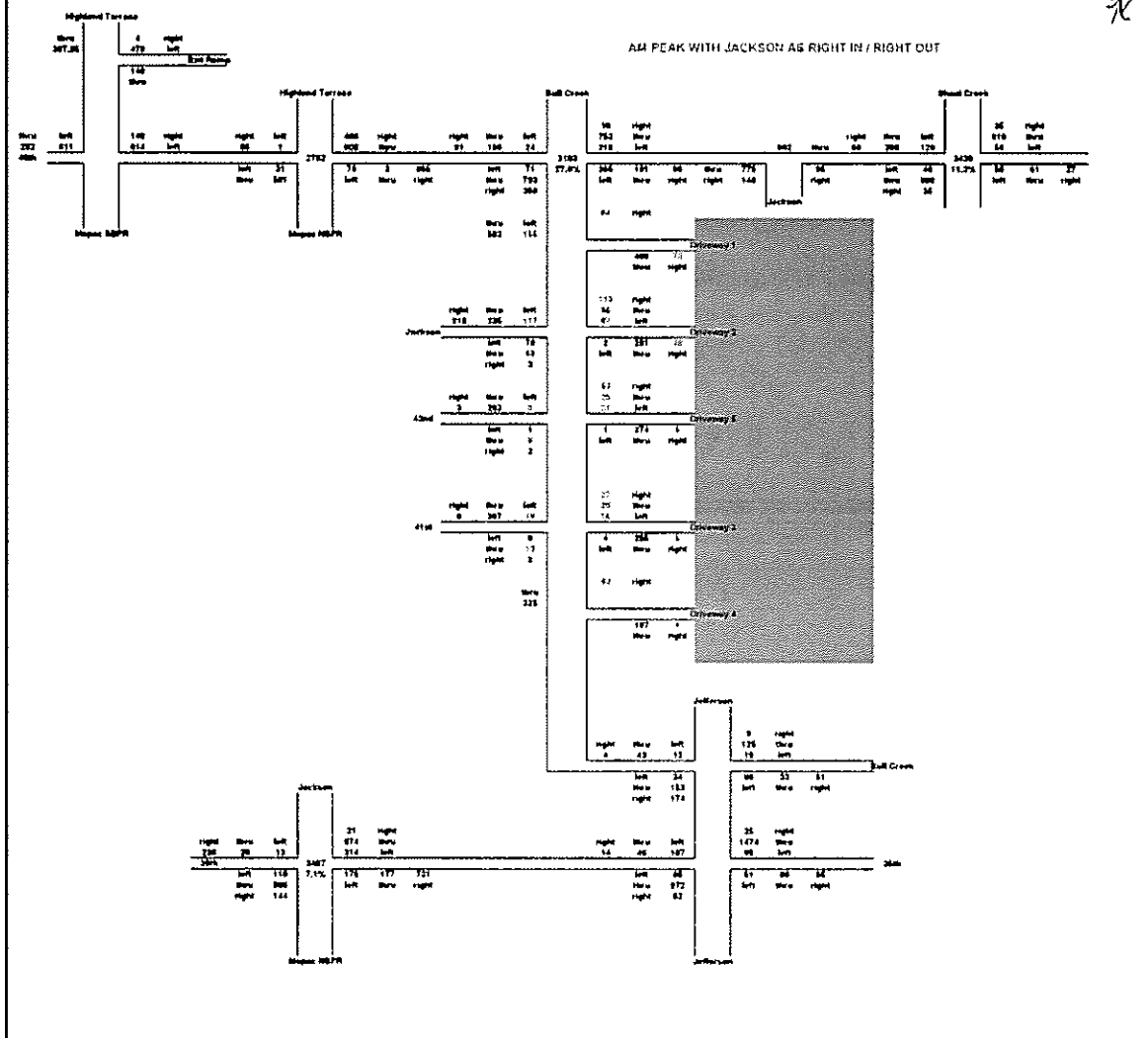
DISTRIBUTION
RIGHT-IN/RIGHT-OUT

AM Peak 7:30 - 8:30 AM

AM Peak 7:30 - 8:30 AM

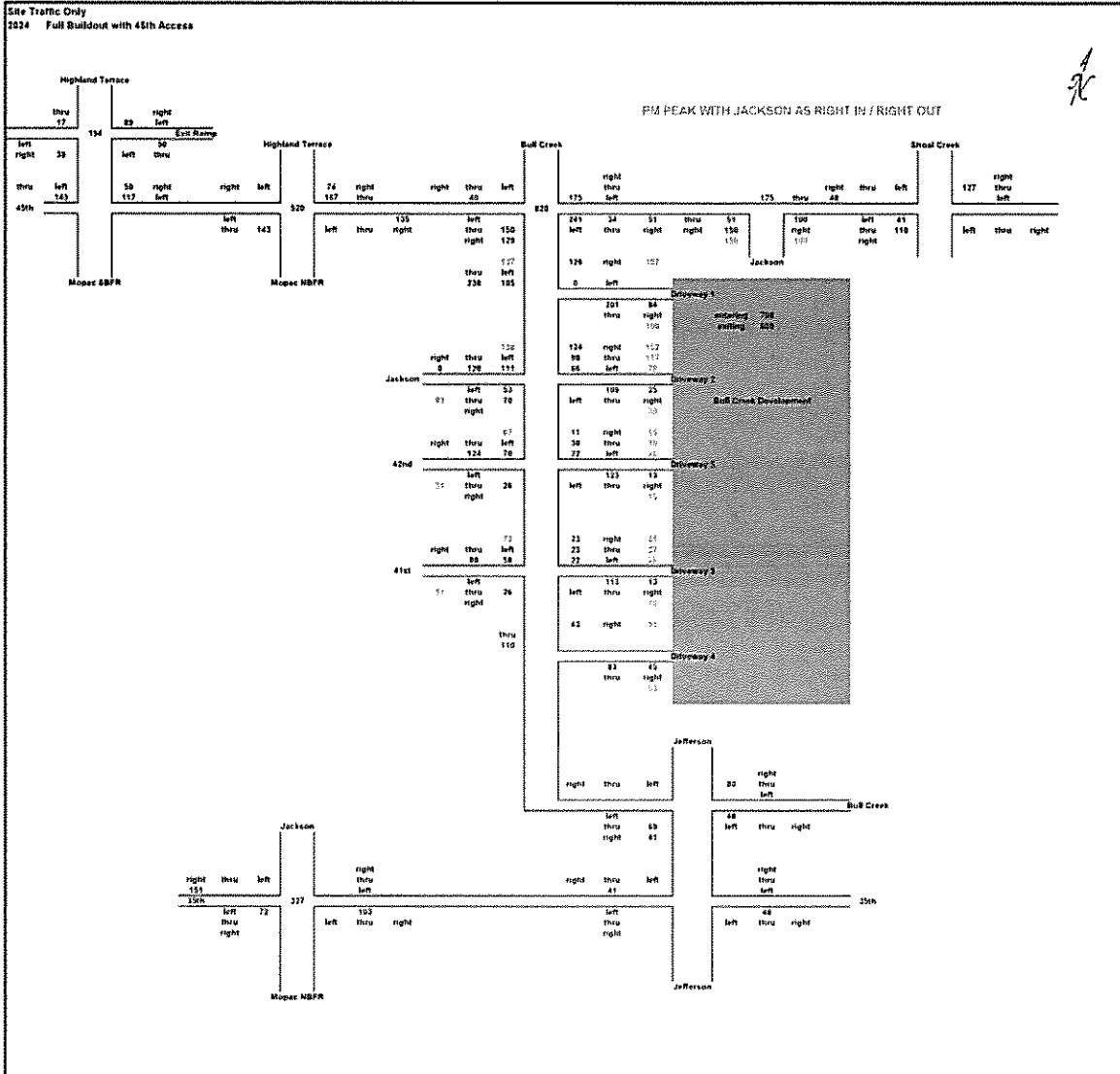


ASU Park 7:20 - 8:20 AM

 $\mathcal{K}$ 

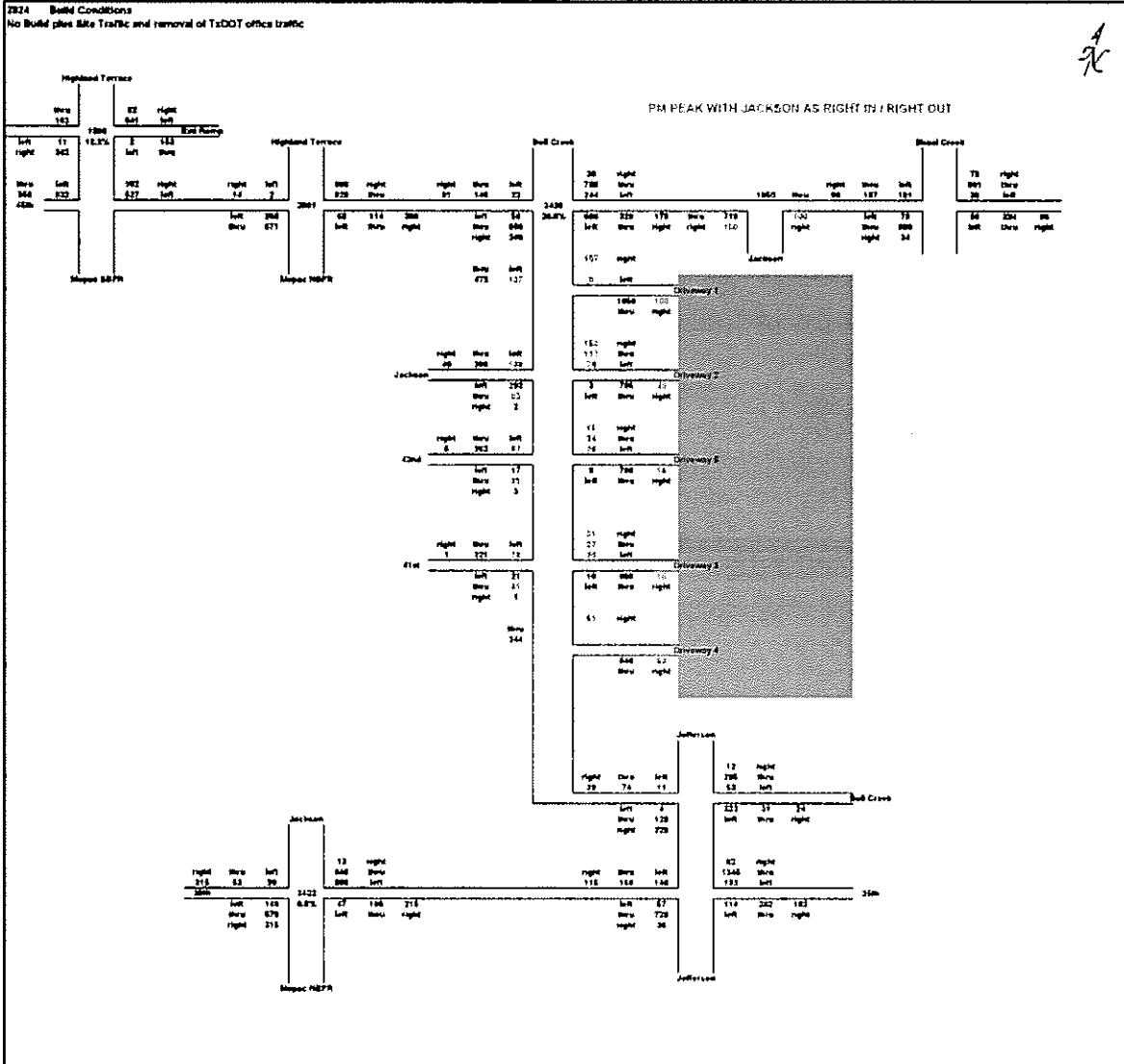
Grove at Shoal Creek
DISTRIBUTION SPREADSHEET

PM Peak 4:30 - 5:30 PM



Grove at Shoal Creek
DISTRIBUTION SPREADSHEET

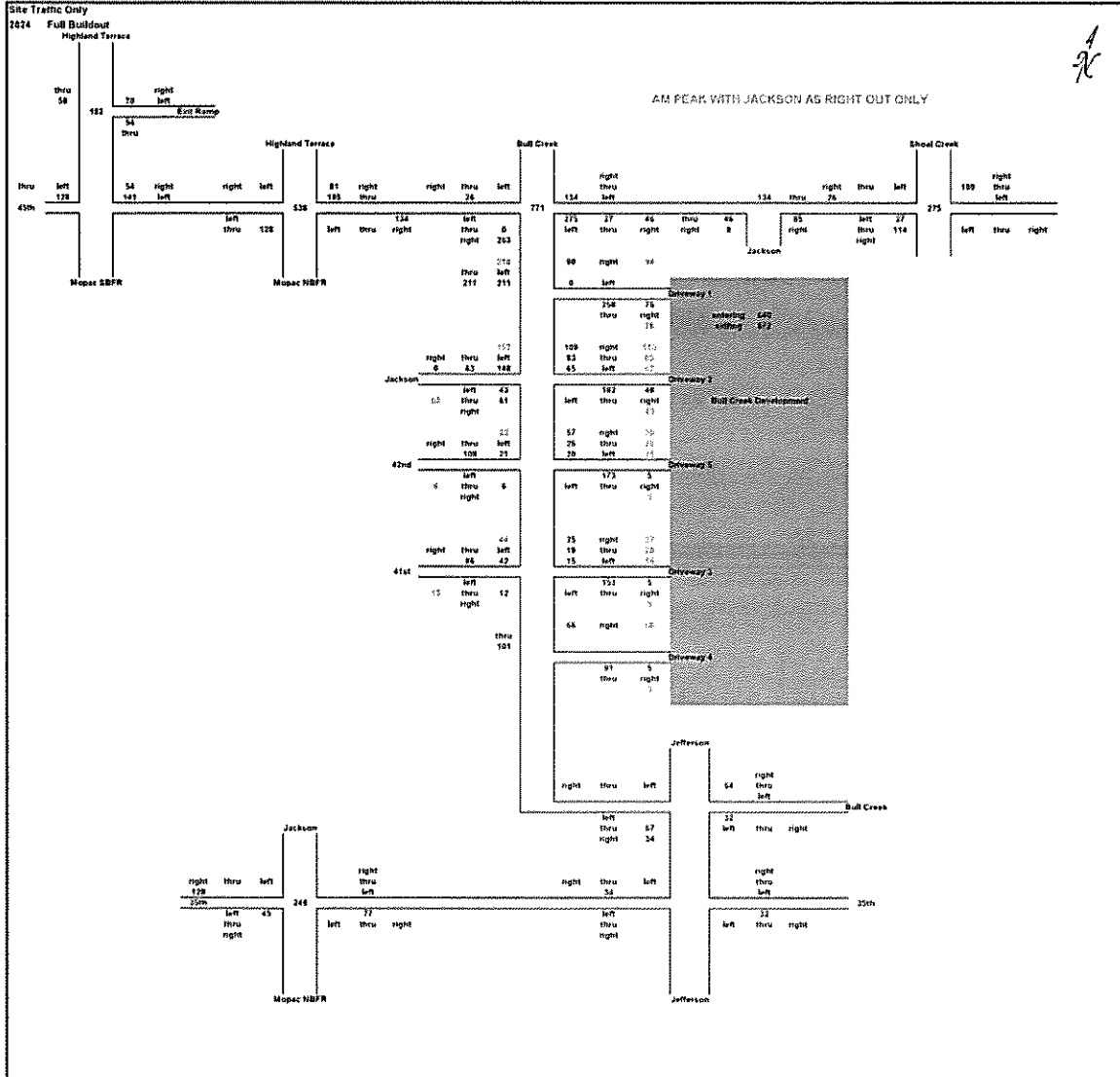
PM Peak 4:30 - 5:30 PM



DISTRIBUTION
RIGHT-OUT ONLY

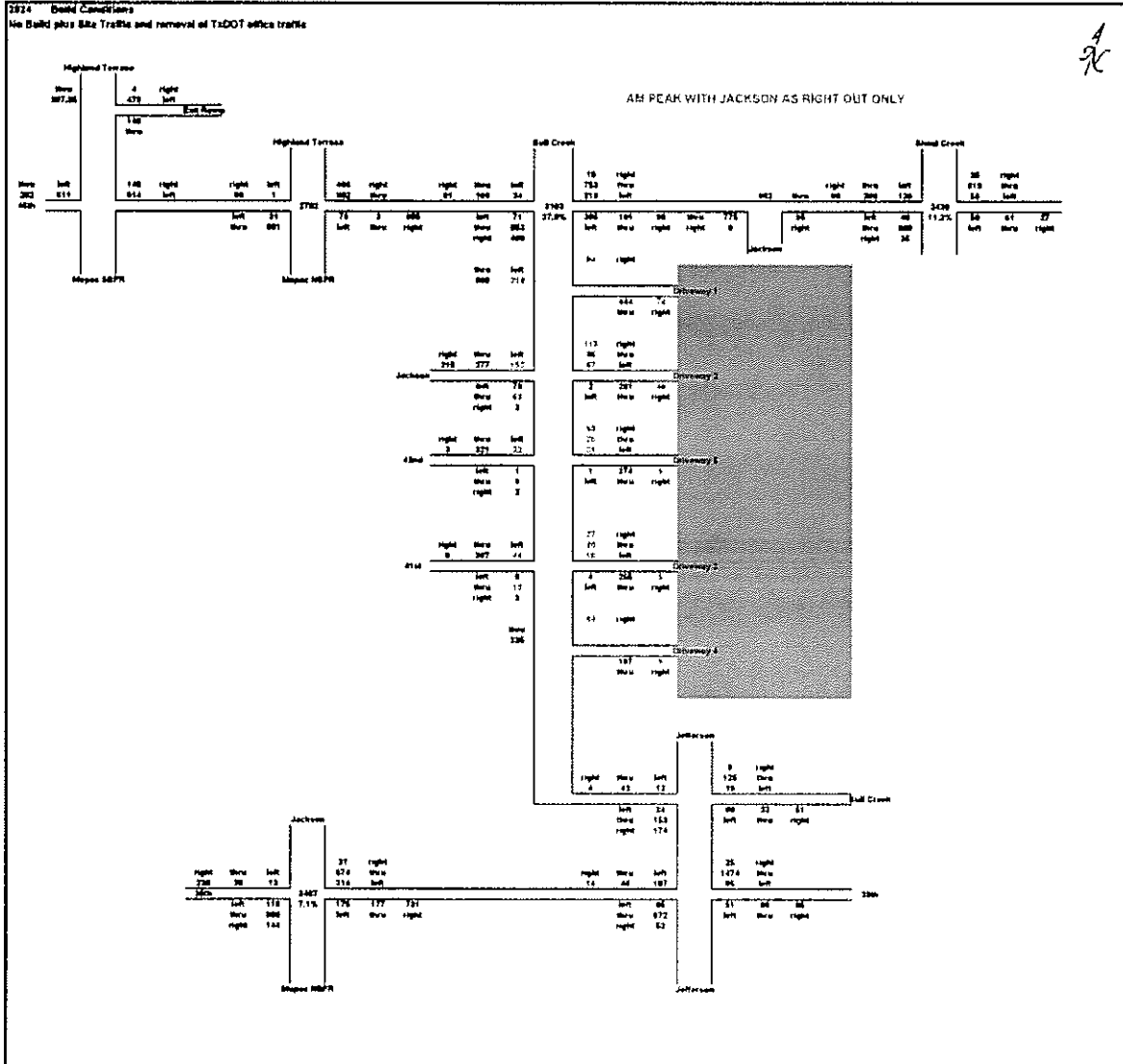
Bull Creek Development
DISTRIBUTION SPREADSHEET

AM Peak 7:30 - 8:30 AM



Bull Creek Development
DISTRIBUTION SPREADSHEET

AM Peak 7:30 - 8:30 AM

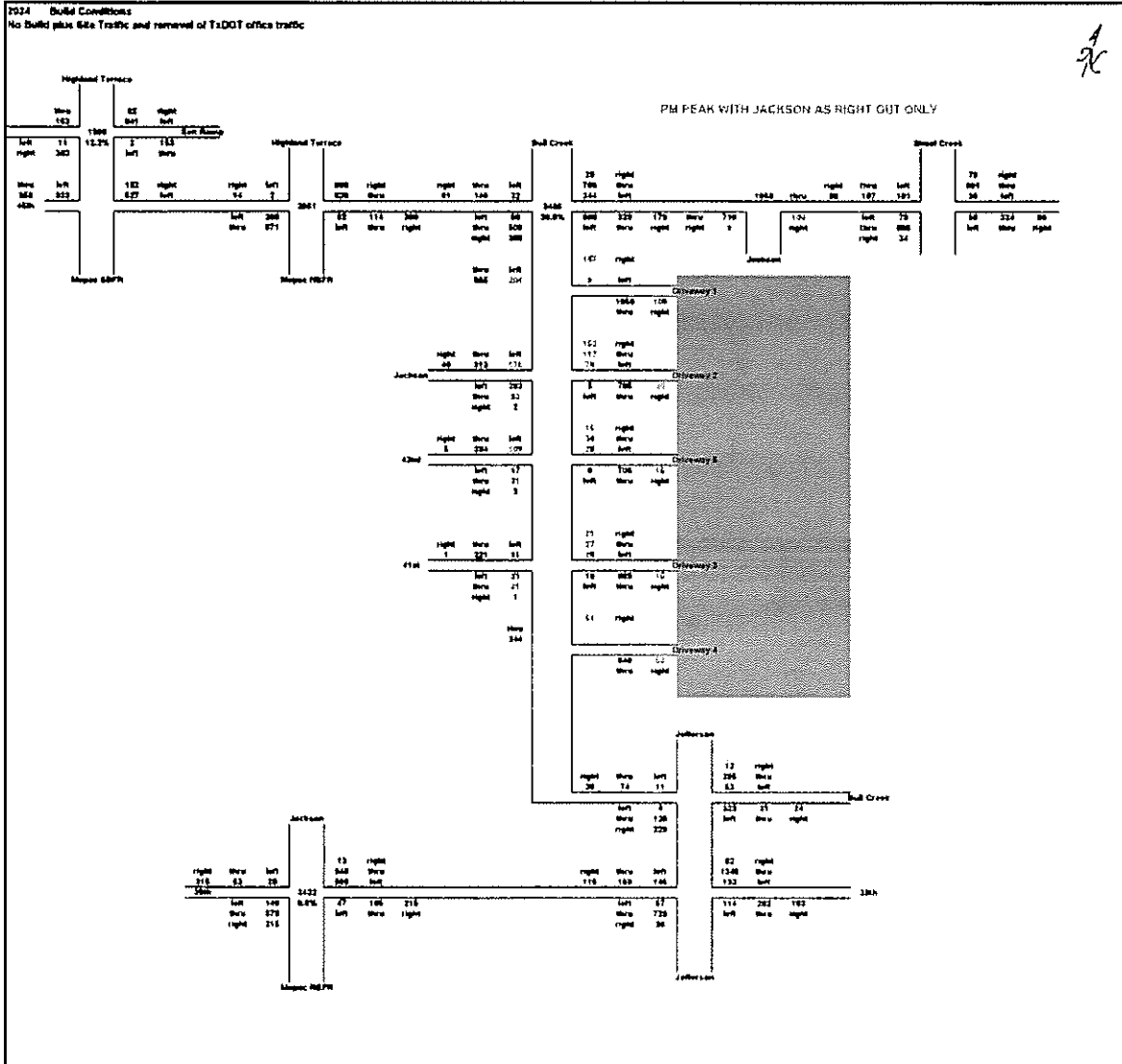


Site Traffic Only
2024 Full Buildout with 45th Access



Grove at Shoal Creek
DISTRIBUTION SPREADSHEET

PM Peak 4:30 - 5:30 PM



Analysis and Results

Table 1 presents the delay and LOS based on simulation results for the year 2024 Build Conditions with northbound Bull Creek Road at 45th Street as three lanes and **without the Jackson Avenue connection to 45th Street**.

The only noticeable change in operations is to the combined northbound through/right turn movement on Bull Creek Road at 45th for obvious reasons of combining the two lanes into one during the PM peak. Minimal impact was observed for the AM peak.

Providing two separate lanes estimates a LOS of D (35.7 seconds) for the through movement and LOS A (5.7 seconds) for the right turn movement. Combining the movements into a single lane reduces the LOS to E (78.6 seconds). Comparatively, the 2024 No Build scenario indicates this combined through/right turn movement will operate at LOS E (72.9 seconds). While the three lane configuration is not as efficient as the four lane configuration shown in the original TIA, the impact is fairly minimal when compared to No Build Conditions.

TABLE 1
ANALYSIS RESULTS FOR 2024 BUILD CONDITIONS WITH NORTHBOUND BULL CREEK AS THREE LANES AND WITHOUT JACKSON CONNECTION TO 45TH

Intersection	Traffic Control Type	2024 BUILD CONDITIONS											
		AM Peak Hour ²						PM Peak Hour ²					
		MOE ¹	LOS	50th Queue	95th Queue ³	Bay Length	V/C	MOE ¹	LOS	50th Queue	95th Queue ³	Bay Length	V/C
MoPac SBFR at 45th	Signal	32.6	C					16.0	B				
Westbound left		58	E	695	893	315	0.98	15.9	B	120	95	315	0.64
Southbound left		21.4	C	207	244	N/A	0.49	25.2	C	248	336	N/A	0.67
Southbound right		0.3	A	0	0	N/A	0.2	0.3	A	0	0	N/A	0.23
MoPac NBFR at 45th	Signal	20.6	C					37.3	D				
Eastbound left		6.3	A	2	3	340	0.08	21.5	C	47	51	340	0.59
Eastbound through		13.1	B	22	19	340	0.76	23.0	C	64	62	340	0.76
Westbound		23.4	C	358	652	N/A	0.88	46.7	D	369	784	N/A	1.08
Northbound left/through		45.6	D	57	106	900	0.27	78.8	E	143	265	900	0.82
Northbound right		20.9	C	45	282	550	0.87	12.9	B	0	90	550	0.68
Southbound left		48.0	D	1	6	N/A	0.01	54.5	D	2	11	N/A	0.03
Southbound right		9.7	A	0	36	N/A	0.34	0.5	A	0	0	N/A	0.06
Bull Creek at 45th	Signal	47.5	D					46.0	D				
Eastbound left		8.2	A	13	17	100	0.27	13.7	B	11	19	100	0.24
Eastbound through/right		35.7	D	483	628	480	0.99	23.7	C	334	449	480	0.92
Westbound left		65.8	E	135	289	250	0.90	42.2	D	135	261	250	0.74
Westbound through/right		27.9	C	254	320	N/A	0.59	29.2	C	255	322	N/A	0.60
Northbound dual lefts		92.1	F	170	254	400	0.86	57.9	E	275	379	400	0.89
Northbound through/right		34.3	C	184	268	N/A	0.62	78.6	E	531	751	N/A	1.02
Southbound left		43.4	D	17	41	130	0.11	48.2	D	15	41	130	0.18
Southbound through/right		94.2	F	237	427	N/A	0.99	86.0	F	147	288	N/A	0.90
Bull Creek at Jackson/Driveway 2	Signal	16.3	B					38.0	D				
Eastbound left		17.2	B	19	33	100	0.19	33.8	D	158	278	100	0.86
Eastbound through/right		26.4	C	23	68	N/A	0.19	36.4	D	47	93	N/A	0.27
Westbound left		17.2	B	18	54	100	0.19	29.9	C	37	74	100	0.36
Westbound through		30.1	C	31	85	100	0.32	82.6	F	73	176	100	0.84
Westbound right		9.5	A	0	49	100	0.40	13.7	B	0	55	100	0.60
Northbound left		9.5	A	0	4	150	0.00	7.3	A	1	4	150	0.01
Northbound through		21.2	C	110	209	N/A	0.42	46.1	D	408	657	N/A	0.95
Northbound right		0.2	A	0	0	150	0.07	0.1	A	0	0	150	0.04
Southbound left		10.7	B	32	72	300	0.29	28.4	D	51	159	300	0.78
Southbound through/right		14.4	B	120	316	N/A	0.53	11.2	B	94	186	N/A	0.36
Bull Creek at Driveway 1	Two-Way Stop	1.5	A					1.6	A				
Westbound right	Stop	0.0	A	N/A	0.0	210	0.000	0.0	A	N/A	0.0	210	0.000
Southbound lefts	Free	9.6	A	N/A	0.9	N/A	0.231	15.1	C	N/A	1.8	N/A	0.385
Bull Creek at Driveway 3/41st	Two-Way Stop	2.4	A					6.3	A				
Eastbound	Stop	15.2	C	N/A	0.1	N/A	0.047	53.1	F	N/A	2.0	N/A	0.143
Westbound left/through	Stop	17.6	C	N/A	0.4	90	0.121	51.9	F	N/A	1.9	90	0.436
Westbound right	Stop	10.1	B	N/A	0.2	90	0.066	15.0	C	N/A	0.5	90	0.133
Northbound lefts	Free	8.0	A	N/A	0.0	N/A	0.084	7.7	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.1	N/A	0.037	9.7	A	N/A	0.4	N/A	0.120
Bull Creek at Driveway 5/42nd	Two-Way Stop	2.4	A					9.1	A				
Eastbound	Stop	14.9	B	N/A	0.1	N/A	0.026	27.4	F	N/A	2.5	N/A	0.349
Westbound left/through	Stop	17.7	C	N/A	0.5	190	0.153	99.2	F	N/A	3.5	190	0.688
Westbound right	Stop	10.6	B	N/A	0.3	190	0.103	15.1	C	N/A	0.2	190	0.071
Northbound lefts	Free	8.0	A	N/A	0.0	N/A	0.061	7.9	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	8.0	A	N/A	0.1	N/A	0.019	10.2	B	N/A	0.5	N/A	0.145

1 MOE = seconds delay per vehicle

2 7:30 AM - 8:30 AM

3 4:30 PM - 5:30 PM

4 95th Queue for signalized intersection measured at left and for unsignalized intersection measured in vehicles

Table 2 presents the delay and LOS based on simulation results for the year 2024 Build Conditions with northbound Bull Creek Road at 45th Street as three lanes and **with the Jackson Avenue connection to 45th Street as a right-in/right-out.**

Providing an option for drivers to exit onto 45th Street via the proposed Jackson Avenue connection reduces the anticipated volume of right turning vehicles from Bull Creek Road to 45th Street. Under this scenario, the shared through/right turn lane maintained LOS D (48.4 seconds) for the PM peak. This performs better than anticipated No Build conditions. Again, no significant impact was observed in the AM peak.

The only noticeable change in operations is to the eastbound through/right turn movement on 45th Street at Bull Creek. This appears to be caused from the increased volume of traffic estimated to travel through the signalized intersection instead of turning right. The change in traffic pattern results in a LOS of D (50.0 seconds) which is still an improvement of LOS D (51.6 seconds) for the No Build Conditions.

TABLE 2
ANALYSIS RESULTS FOR 2024 BUILD CONDITONS WITH NORTHBOUND BULL CREEK AS THREE LANES AND WITH JACKSON CONNECTION TO 45TH AS RI/RO

Intersection	Traffic Control Type	2024 BUILD CONDITIONS											
		AM Peak Hour ¹						PM Peak Hour ¹					
		MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C	MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C
MoPac SBFR at 45th	Signal	32.6	C					16.0	B				
Westbound left		58	E	695	895	315	0.98	15.9	B	120	95	315	0.64
Southbound left		21.4	C	207	244	N/A	0.49	25.2	C	248	336	N/A	0.67
Southbound right		0.3	A	0	0	N/A	0.2	0.3	A	0	0	N/A	0.23
MoPac NBFR at 45th	Signal	21.2	C					37.3	D				
Eastbound left		6.3	A	2	3	340	0.08	21.5	C	47	55	340	0.59
Eastbound through		13.3	B	22	19	340	0.76	23.0	C	64	62	340	0.76
Westbound		23.4	C	358	652	N/A	0.88	46.7	D	369	784	N/A	1.08
Northbound left/through		45.6	D	57	106	900	0.27	78.8	E	143	255	900	0.82
Northbound right		23.1	C	45	282	550	0.87	12.9	B	0	90	550	0.68
Southbound left		48.0	D	1	6	N/A	0.01	54.5	D	2	11	N/A	0.03
Southbound right		9.7	A	0	36	N/A	0.34	0.5	A	0	0	N/A	0.06
Bull Creek at 45th	Signal	53.3	D					44.6	D				
Eastbound left		8.2	A	13	17	100	0.27	13.7	B	11	19	100	0.24
Eastbound through/right		50.0	D	570	681	480	1.03	38.9	D	383	512	480	0.97
Westbound left		65.8	E	135	289	250	0.90	42.2	D	135	251	250	0.74
Westbound through/right		27.9	C	254	329	N/A	0.59	29.2	C	255	322	N/A	0.60
Northbound dual lefts		92.1	F	170	254	400	0.86	57.9	E	275	379	400	0.89
Northbound through/right		36.9	D	134	206	N/A	0.49	48.4	D	365	578	N/A	0.85
Southbound left		42.7	D	17	44	130	0.09	50.6	D	15	41	130	0.16
Southbound through/right		94.2	F	237	427	N/A	0.99	86.0	F	147	288	N/A	0.90
Bull Creek at Jackson/Driveway 2	Signal	15.1	B					34.7	C				
Eastbound left		17.2	B	18	55	100	0.2	51.7	D	158	278	100	0.85
Eastbound through/right		27.0	C	22	68	N/A	0.23	36.2	D	47	93	N/A	0.26
Westbound left		17.2	B	17	54	100	0.19	29.7	C	37	74	100	0.35
Westbound through		28.6	C	30	85	100	0.30	82.6	F	73	176	100	0.84
Westbound right		6.9	A	0	35	100	0.32	9.0	A	0	35	100	0.52
Northbound left		9.5	A	0	4	150	0.00	7.3	A	1	4	150	0.01
Northbound through		19.7	B	95	188	N/A	0.38	39.7	D	380	615	N/A	0.91
Northbound right		0.2	A	0	0	150	0.07	0.1	A	0	0	150	0.04
Southbound left		9.6	A	24	58	300	0.21	24.9	C	33	92	300	0.63
Southbound through/right		12.5	B	100	274	N/A	0.47	10.7	B	79	139	N/A	0.32
Bull Creek at Driveway 1	Two-Way Stop	1.1	A					1.0	A				
Westbound right	Stop	0.0	A	N/A	0.0	210	0.000	0.0	A	N/A	0.0	210	0.000
Southbound lefts	Free	9.0	A	N/A	0.6	N/A	0.157	12.9	B	N/A	1.0	N/A	0.246
Bull Creek at Driveway 3/41st	Two-Way Stop	1.9	A					5.2	A				
Eastbound	Stop	14.2	B	N/A	0.1	N/A	0.043	42.8	E	N/A	1.6	N/A	0.382
Westbound left/through	Stop	16.1	C	N/A	0.4	90	0.168	44.0	E	N/A	1.7	90	0.389
Westbound right	Stop	10.0	B	N/A	0.1	90	0.039	14.1	B	N/A	0.3	90	0.081
Northbound lefts	Free	8.0	A	N/A	0.0	N/A	0.004	7.7	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.0	N/A	0.014	9.6	A	N/A	0.3	N/A	0.092
Bull Creek at Driveway 5/42nd	Two-Way Stop	2.2	A					6.7	A				
Eastbound	Stop	13.8	B	N/A	0.1	N/A	0.025	34.3	E	N/A	1.9	N/A	0.440
Westbound left/through	Stop	15.9	C	N/A	0.5	100	0.134	67.0	F	N/A	2.7	100	0.557
Westbound right	Stop	10.4	B	N/A	0.3	100	0.087	14.5	B	N/A	0.1	100	0.041
Northbound lefts	Free	7.9	A	N/A	0.0	N/A	0.001	7.9	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.0	N/A	0.007	9.9	A	N/A	0.4	N/A	0.114
45th Street and Jackson Street	Two-Way Stop	0.7	A					0.7	A				
Northbound right	Stop	13.7	B	N/A	0.7	N/A	0.199	13.3	B	N/A	0.7	N/A	0.201

¹ MOE is seconds delay per vehicle

² 7:30 AM - 8:30 AM

³ 4:30 PM - 5:30 PM

⁴ 95th Queue for signalized intersection measured in feet and for non-signalized intersection measured in vehicles

Table 3 presents the delay and LOS based on simulation results for the year 2024 Build Conditions with northbound Bull Creek Road at 45th Street as three lanes and **with the Jackson Avenue connection to 45th Street as a right-out only.**

As shown in the previous scenario, providing an option for drivers to exit onto 45th Street via the proposed Jackson Avenue connection reduces the anticipated volume of right turning vehicles from Bull Creek Road to 45th Street. Under this scenario, the shared through/right turn lane maintained LOS D (48.4 seconds) for the PM peak. This performs better than anticipated No Build conditions. Again, no significant impact was observed in the AM peak.

Removing the ingress option at Jackson Avenue and 45th eliminated the observed increased delay for eastbound traffic on 45th Street at Bull Creek Road.

TABLE 3
ANALYSIS RESULTS FOR 2024 BUILD CONDITIONS WITH NORTHBOUND BULL CREEK AS THREE LANES AND WITH JACKSON CONNECTION TO 45TH AS RIGHT OUT ONLY

Intersection	Traffic Control Type	2024 BUILD CONDITIONS											
		AM Peak Hour ²						PM Peak Hour ³					
		MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C	MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C
MoPac SBFR at 45th	Signal	32.6	C					16.0	B				
Westbound left		58	E	695	893	315	0.98	15.9	B	120	95	315	0.64
Southbound left		21.4	C	207	244	N/A	0.49	25.2	C	248	336	N/A	0.67
Southbound right		0.3	A	0	0	N/A	0.2	0.3	A	0	0	N/A	0.23
MoPac NBFR at 45th	Signal	20.6	C					37.3	D				
Eastbound left		6.3	A	2	3	340	0.08	21.5	C	47	53	340	0.59
Eastbound through		13.1	B	22	19	340	0.76	23.0	C	64	62	340	0.76
Westbound		23.4	C	358	652	N/A	0.88	46.7	D	369	784	N/A	1.08
Northbound left/through		45.6	D	57	106	900	0.27	78.8	E	143	265	900	0.82
Northbound right		20.9	C	45	282	550	0.87	12.9	B	0	90	550	0.68
Southbound left		48.0	D	1	6	N/A	0.01	54.5	D	2	11	N/A	0.03
Southbound right		9.7	A	0	36	N/A	0.34	0.5	A	0	0	N/A	0.06
Bull Creek at 45th	Signal	48.1	D					40.6	D				
Eastbound left		8.2	A	13	17	100	0.27	13.7	B	11	19	100	0.24
Eastbound through/right		35.7	D	483	628	480	0.99	23.7	C	334	449	480	0.92
Westbound left		65.8	E	135	289	250	0.90	42.2	D	135	251	250	0.74
Westbound through/right		27.9	C	254	320	N/A	0.59	29.2	C	255	322	N/A	0.60
Northbound dual lefts		92.1	F	170	254	480	0.86	57.9	E	275	379	480	0.89
Northbound through/right		36.9	D	134	206	N/A	0.49	48.4	D	365	578	N/A	0.85
Southbound left		42.7	D	17	44	130	0.09	50.6	D	15	41	130	0.16
Southbound through/right		94.2	F	237	427	N/A	0.99	86.0	F	147	288	N/A	0.90
Bull Creek at Jackson/Driveway 2	Signal	15.3	B					35.7	D				
Eastbound left		17.3	B	18	55	100	0.20	51.8	D	158	278	100	0.85
Eastbound through/right		27.1	C	22	68	N/A	0.23	36.2	D	47	93	N/A	0.26
Westbound left		17.3	B	17	54	100	0.20	29.7	C	37	74	100	0.35
Westbound through		28.8	C	30	85	100	0.30	82.6	F	73	176	100	0.84
Westbound right		7.0	A	0	35	100	0.33	9.0	A	0	35	100	0.52
Northbound left		9.5	A	0	4	150	0.00	7.3	A	1	1	150	0.01
Northbound through		19.8	B	98	188	N/A	0.58	40.8	D	380	615	N/A	0.92
Northbound right		0.2	A	0	0	150	0.07	0.1	A	0	0	150	0.04
Southbound left		9.9	A	31	69	300	0.27	39.1	D	51	159	300	0.79
Southbound through/right		13.5	B	119	287	N/A	0.51	11.3	B	94	186	N/A	0.36
Bull Creek at Driveway 1	Two-Way Stop	1.4	A					1.5	A				
Westbound right	Stop	0.0	A	N/A	0.0	210	0.000	0.0	A	N/A	0.0	210	0.000
Southbound lefts	Free	9.3	A	N/A	0.8	N/A	0.220	14.4	B	N/A	1.7	N/A	0.367
Bull Creek at Driveway 3/41st	Two-Way Stop	2.2	A					6.0	A				
Eastbound	Stop	15.2	C	N/A	0.1	N/A	0.047	50.7	F	N/A	1.9	N/A	0.430
Westbound left/through	Stop	17.6	C	N/A	0.4	90	0.121	51.9	F	N/A	1.9	90	0.456
Westbound right	Stop	10.0	B	N/A	0.1	90	0.039	14.4	B	N/A	0.3	90	0.081
Northbound lefts	Free	7.9	A	N/A	0.0	N/A	0.004	7.4	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.1	N/A	0.037	9.7	A	N/A	0.4	N/A	0.120
Bull Creek at Driveway 5/42nd	Two-Way Stop	2.3	A					8.3	A				
Eastbound	Stop	14.6	B	N/A	0.1	N/A	0.025	70.2	F	N/A	2.4	N/A	0.518
Westbound left/through	Stop	17.3	C	N/A	0.5	190	0.149	88.3	F	N/A	3.2	190	0.648
Westbound right	Stop	10.4	B	N/A	0.3	190	0.087	14.5	B	N/A	0.1	190	0.041
Northbound lefts	Free	7.9	A	N/A	0.0	N/A	0.001	7.9	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	8.0	A	N/A	0.1	N/A	0.019	10.0	B	N/A	0.5	N/A	0.142
45th Street and Jackson Street	Two-Way Stop	0.6	A					0.7	A				
Northbound right	Stop	12.5	B	N/A	0.6	N/A	0.178	12.1	B	N/A	0.6	N/A	0.178

1 MOE is seconds delay per vehicle

2 7:30 AM – 8:30 AM

3 4:30 PM – 5:30 PM

4 95th Queue for signalized intersection measured in feet and for non-signalized intersection measured in vehicles

Conclusions

The analysis of all three scenarios generally show improvements over the No Build conditions. Even without the connection of Jackson Avenue to 45th Street, the intersection of Bull Creek Road and 45th Street is anticipated to operate at an acceptable LOS. While each of the three scenarios mitigate future traffic, it was noted that the scenario in which the Jackson Avenue connection to 45th Street is constructed as a right-out only provided the lowest delay and queuing.

2.5 Planned Unit Development Land Use Plan

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

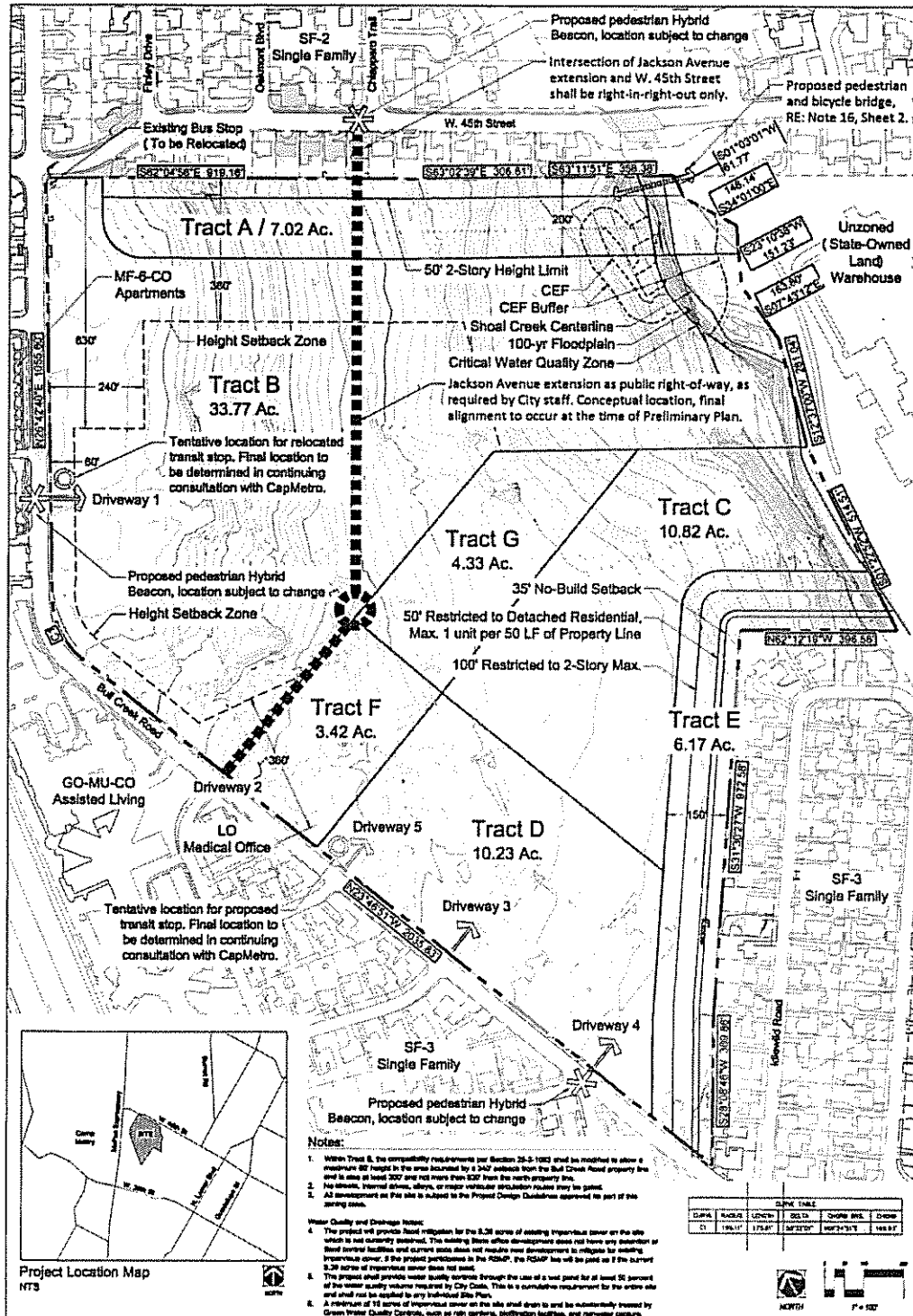


Figure 2.5: Planned Unit Development Land Use Plan

Figure 2.5.1: PUD Regulation

3.3 Master Framework Plan

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

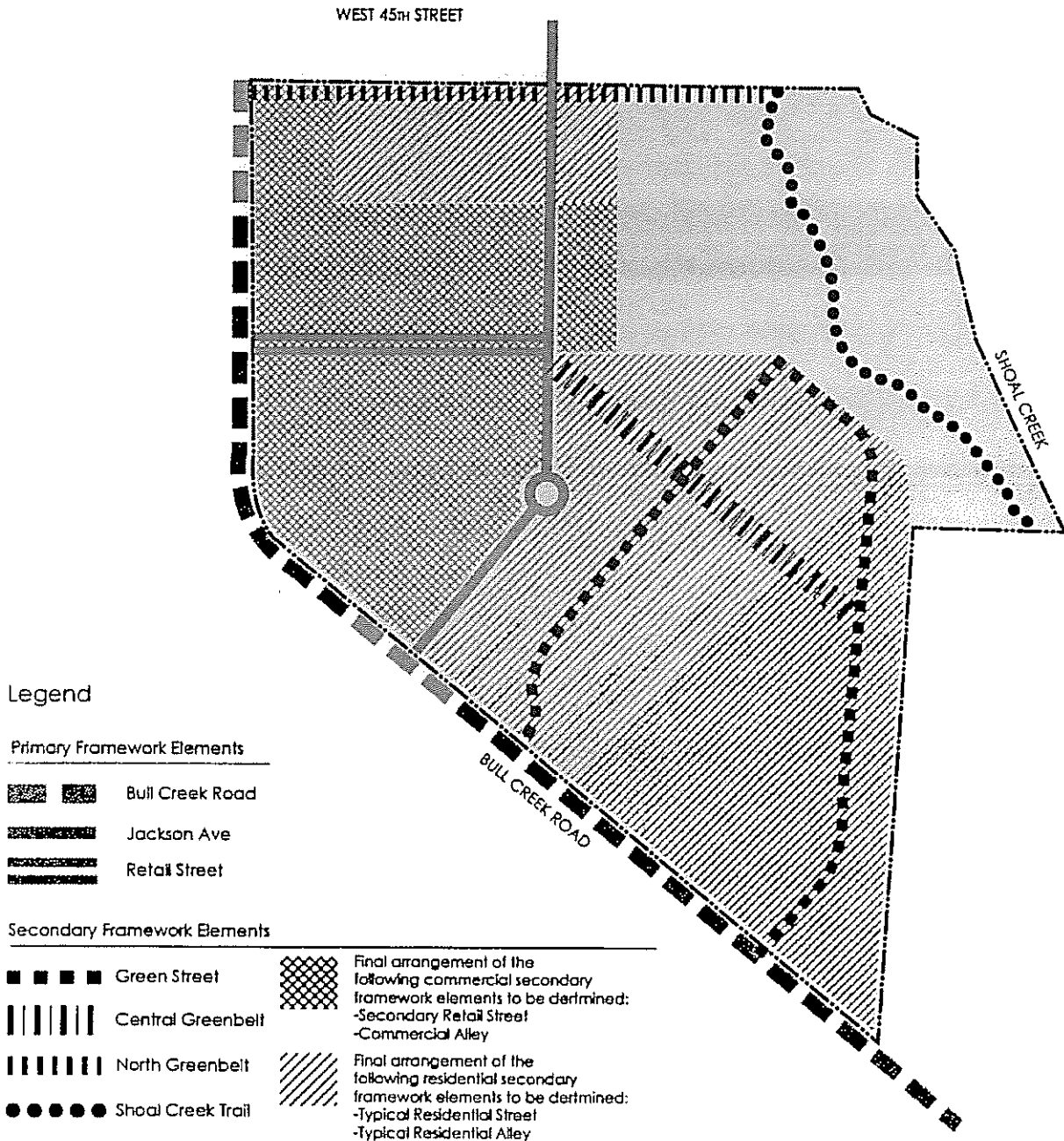


Figure 3.3: Master Framework Plan