ZONING CHANGE REVIEW SHEET

CASES: C14-2018-0026 - E Riverside DR and S Pleasant Valley Rd Tract 4
C14-2018-0027 - E Riverside DR and S Pleasant Valley Rd Tracts 3 & 5
C14-2018-0028 - E. Riverside Dr and 1109 S. Pleasant Valley Road Tracts 1 and 2
C14-97-0010(RCT) - E. Riverside Dr. and S. Pleasant Valley Rd. Tract 4
C14-72-204(RCA4) - E. Riverside Dr and S. Pleasant Valley Rd. Tracts 1-5

DISTRICT: 3

ZONING REQUESTS FROM: East Riverside Corridor (ERC) district - Neighborhood Mixed Use (NMU) and Urban Residential (UR) subdistricts

TO: East Riverside Corridor (ERC) district – Corridor Mixed Use (CMU) subdistrict

ADDRESSES: 1600 Wickersham Lane, 1515 Wickersham Lane, 4700 E Riverside Drive, 4600 Elmont Drive, 1109 S Pleasant Valley Road

SITE AREA: 97.6 Acres

OWNERS: NRE Town Lake Property Owner LLC, Ballpark Austin LLC, BP Riverside West LLC, NRE Zone, NRE Edge

APPLICANT: Armburst & Brown, PLLC (Michael Whellan)

CASE MANAGER: Jerry Rusthoven, 512-974-3207 jerry.rusthoven@austintexas.gov

STAFF RECOMMENDATION:

For the geographic area of the zoning requests within one half mile of the intersection of Riverside and Pleasant Valley, as delineated by the private drive north of 1401 S Pleasant Valley Road (Dollar General Store), and south of 1109 S Pleasant Valley Road (the Town Lake apartments), Staff recommends:

- Amendment 1 – (ERC Plan, Figure 1-2, Subdistrict Map) – Change the ERC subdistricts of the properties from Neighborhood Mixed Use (NMU) and Urban Residential (UR) subdistricts to Corridor Mixed Use (CMU)
- Amendment 2 – (ERC Plan, Figure 1-6, Hub Map) Include designated area in the Hub boundary
- Amendment 3 – (ERC Plan, Figure 1-8, Bonus Height Map) Make designated area eligible for up to 160 feet of height, with development bonus
- Amendment 4 – (ERC Plan, Figure 1-4, Active Edge Map) – Extend active edges north on Pleasant Valley to Elmont, and on Riverside from Wickersham to Crossing Place
- Amendment 5 – (ERC Plan, Figure 1-7, Base Height Map) Amend to reflect changes to Figure 1-2 above, described in Amendment 1
- For the area of the rezoning requests beyond one half-mile from the intersection of Riverside and Pleasant Valley, Staff does not support zoning changes or changes to the ERC regulating plan.

- Staff supports amending restrictive covenant C14-72-204(RCA4), to remove the subject properties from the restrictive covenant, which limits the number of dwelling units. Staff supports termination of restrictive covenant C14-97-0010(RCT), which requires one parking space per bedroom, and a six-foot fence around the property.
- Staff recommends that the rezoning requests described in this report be subject to the conditions outlined the attached traffic impact analysis (TIA) memorandum. ***Please see Exhibit L- TIA Memorandum.***

Copies of the Figures listed above are attached with this report. ***Please see Exhibits C through H – Subdistrict Map, Active Edges Map, Collector Street Map, Hub Map, Base Height Map, Bonus Height Map.***

For a summary of the basis of Staff's recommendation, see page 10.

PLANNING COMMISSION ACTION / RECOMMENDATION:

June 11, 2019:

CITY COUNCIL ACTION:

August 8, 2019:

ORDINANCE NUMBER(S):

ISSUES:

The rezoning requests outlined in this Staff Report propose to rezone the subject tracts and amend to the East Riverside Corridor (ERC) Regulating Plan. When the ERC plan was adopted in 2013, the adopting ordinance established that any changes to Figure 1-2 (subdistrict designation) would then be reflected in Figures 1-7 (base height) and 1-8 (bonus height). These changes are subject to rezoning procedures, including notification and public hearings at Planning Commission and City Council.

Per scheduling requirements set out in City Code § 25-2-282 (E), the public hearings of these rezoning cases must be heard at the June 11, 2019 Planning Commission meeting.

City Code does not allow a rezoning request to cross public right-of-way (ROW), so the related rezoning requests have been filed under three separate applications. The associated restrictive covenant termination (RCT) and restrictive covenant amendment (RCA) requests also apply to several of the properties. The Staff Report for all five cases are combined into one, with distinctions made where appropriate. ***Please see Exhibits A and B- Tract and Application Map, Aerial Exhibit.***

Case Number	Type	Case Name	Address(es)
C14-2018-0026	Rezoning	E Riverside DR and S Pleasant Valley Rd Tract 4	1600 Wickersham Lane
C14-2018-0027	Rezoning	E. Riverside Dr and S. Pleasant Valley Rd. Tracts 3 & 5	4700 E Riverside Drive; 1515 Wickersham Lane
C14-2018-0028	Rezoning	E. Riverside Dr and 1109 S. Pleasant Valley Road Tracts 1 and 2	1109 S Pleasant Valley Road; 4600 Elmont Drive
C14-97-0010(RCT)	Restrictive Covenant Termination	E. Riverside Dr. and S. Pleasant Valley Rd. Tract 4	160 Wickersham Lane
C14-72-204(RCA4)	Restrictive Covenant Amendment	E. Riverside Dr and S. Pleasant Valley Rd. Tracts 1-5	*Includes all addresses above*

APPLICANT REQUEST:

The Applicant proposes redeveloping these properties as a cohesive mixed use development or activity center that would be built on a new street grid (***See Exhibit I***). The proposal as outlined in a letter provided by the Applicant includes the following elements:

- Approximately 4,709 multifamily units
- Approximately 600 hotel rooms
- Approximately 4,000,000 square feet of office
- Approximately 60,000 square feet of medical / dental office space
- Approximately 435,000 square feet of ground floor commercial space

In order to implement their proposal, the Applicant proposes the following changes to the current zoning on the properties:

- Change the ERC subdistricts of the properties from Neighborhood Mixed Use (NMU) and Urban Residential (UR) subdistricts to Corridor Mixed Use (CMU)
- Include the entire property in a Hub (a portion of the property that fronts on Riverside Drive is already within the Hub– (***See Exhibit F***) to allow participation in the density bonus/community benefits program
- Allow a maximum of 160 feet in height through the density bonus program (a portion of the property that fronts on Riverside Drive is currently eligible for bonus height up to 65 ft)
- Terminate restrictive covenant C14-97-0010, which requires one parking space per bedroom, and a 6 foot fence around the property
- Amend the restrictive covenant C14-72-204, which limits dwelling units and density; to remove the subject properties

Additional requirements to any rezoning or site plan in the ERC area: Figure 1-5 in the ERC shows existing streets and required new collector streets (***See Exhibit E***). Relevant to this application are the extension of Lakeshore Boulevard east of Pleasant Valley, the extension of Elmont east of Wickersham to Crossing Place, and the extension of Wickersham north of Elmont to connect with the extension of Lakeshore Boulevard. The ERC also establishes minimum block lengths and perimeters for any new development. In consideration of this requirement the Applicant proposes a revised street grid and has submitted a preliminary plan subdivision for the same area. Per City Code, the preliminary plan may not be approved prior to the approval of the zoning case. ***Please see Exhibit J- Applicant Letter.***

EXISTING CONDITIONS:

There are currently five apartment complexes located on the subject properties: The Ballpark North, Town Lake, and the Quad East, West, and South. These complexes include a total of 1,308 rental units which includes one, two, three, and four-bedroom units. A unit breakdown is shown in the table below. Altogether, there are a total of 3,702 bedrooms across the five existing developments.

The existing apartments were constructed between 1995 and 2003. For 2019, the median rent in the City of Austin is $1,170/month for a one-bedroom unit. The monthly rent for a one-bedroom unit at the existing complexes vary but are generally below the Citywide median. The units are not currently regulated in terms of rent; consequently, rents can rise at any time. The only avenue to ensure that the existing units remain affordable over the long term would be to purchase and/or subsidize the preservation of the units (at a likely cost of over $150 million). These properties are subject to the City's Tenant Relocation Ordinance, which requires advance notification of demolition to residents, but does not require the payment of relocation expenses. Funds may be available from the City's Tenant Relocation Assistance Program for tenant displacement.

Table 1: Existing Apartments Units

	1 bed	2 bed	3 bed	4 bed	Units	Beds
Town Lake	36	36	36	108	216	648
Ballpark North	78	24	78	102	282	768
Quad West	24	144	0	120	288	792
Quad East	30	60	60	120	270	810
Quad South	48	72	36	96	252	684
Totals					1,308	3,702

If the properties are rezoned and the ERC density bonus program is utilized the properties could potentially result in the creation of 200 – 334 income-restricted affordable units [based on the Staff recommendation in addition to fees in in-lieu for affordable housing that would calculated at the time of site plan]. However, the creation of these affordable units or in-lieu fees is dependent on the final proposed development, not the zoning entitlements granted.

The Applicant request proposes that the existing apartments be demolished and replaced with the new development to include buildings, roads, and infrastructure. The Applicant has stated that construction would begin in approximately 2023, and the full buildout could take as many as 20 years, to 2043.

SURROUNDING CONDITIONS:

The subject properties comprise approximately 97 acres in the ERC Regulating Plan area. The properties are located north of E Riverside Drive, east of South Pleasant Valley Road, south of Roy G. Guerrero Park, and West of Crossing Place. The properties have ERC district zoning. The area is within two different subdistricts – Neighborhood Mixed Use (NMU) for the area fronting on Riverside, and for the area south of Elmont Drive and west of Wickersham; and Urban Residential (UR) for the remainder.

Lakeshore Boulevard currently tees into Pleasant Valley Road – to the east of that intersection is the southwest corner of Roy G. Guerrero Park, which is zoned (P) Public. The Country Club Creek Trail ends at Pleasant Valley Road approximately 30 feet north of the subject property. Also to the north in this section of the park is part of a disc golf course. Further north are the Krieg baseball fields and Lady Bird Lake. The eastern edge of the 97 acres includes another section of the Country Club Creek Trail, and West Country Club Creek. Currently, this area is privately owned and is treated as part of the zoning case. However, this section is in the 100-year flood plain and Critical Water Quality Zone (CWQZ), and therefore no structures will be permitted in this area. Further east are tracts zoned MF-3-NP, and MF-2-NP, the site of two- and three-story multifamily complexes which take access to Crossing Place and Faro Drive. On the south side of Riverside, southeast of the subject properties are tracts zoned ERC-UR, the site of a two-story multifamily complex. Directly south of the subject property are tracts zoned ERC-NMU with a service station and food mart at the corner, and a three to four story multifamily complex in the rear. Fronting on Riverside, west of Wickersham and extending west to Pleasant Valley is a strip that is zoned ERC-CMU, which is the site of two and three-story multifamily apartments. At the northeast corner of Pleasant Valley and Riverside is a gas station.A pharmacy is at the southeast corner of Pleasant Valley and Riverside. On the west side of Pleasant Valley Drive and south of Elmont Drive are tracts zoned ERC-CMU. At the intersection of Riverside is an HEB grocery. North of the HEB is a lot that is currently vacant and appears to be used as a storage and staging area for construction. North of that is a five-story multifamily complex. West of Pleasant Valley and north of Elmont Drive is a tract zoned ERC-NMU, the site of a gas station and food mart at the corner, and two two-story multifamily complexes. North of these, and extending up to South Lakeshore Boulevard, is a tract zoned Public (P) that is the current site of the Parks and Recreation Department's Central Maintenance Complex. North of Lakeshore Boulevard is park land, including a hike and bike trail, and further north is Lady Bird Lake.

APPLICABLE ADOPTED PLANS:

East Riverside Corridor Master Plan
The ERC Master Plan sets forth a vision for development along East Riverside Drive that will support mass transit and walkable development. The ERC Master Plan also establishes design guidelines that exceed basic Code standards for streetscapes, building articulation, active outdoor space and other elements that create a walkable and vital community. The plan supports the development of dense development and affordable housing through density bonuses which are available in the CMU areas at Activity Hubs. The properties addressed in this report are currently designated as the NMU and UR subdistrict on the on the future land use district map. The area is adjacent to the CMU subdistrict and just outside of a designated activity Hub area. A description of these subdistricts is provided below, as well as a table that compares some of the differing regulations among the subdistricts.

Urban Residential – UR is a residential subdistrict that allows for a range of housing types, including townhouses, rowhouses, condos, or multifamily dwellings. This subdistrict does not promote mixed use development; uses such as retail or office are not permitted but civic uses are. The majority of the proposed rezoning area is currently in the UR subdistrict. Development bonuses are not available in this subdistrict.

Neighborhood Mixed Use – The NMU subdistrict is intended to provide a transition between high-density activity hubs and lower density residential uses. The NMU subdistrict was envisioned to occupy the areas at edge and outside of a CMU district and allows opportunities for residential and smaller-scale commercial uses. The NMU area is intended to be denser than the predominantly single family residential districts and less dense than in the CMU district. Proposed uses include small commercial developments that would serve the local community, such as coffee shops. Recommended residential development includes townhouses, condos, or multifamily dwellings limited to 50 feet in height and a maximum density of 45 dwelling units per acre.

Corridor Mixed Use – This subdistrict is intended to be centered around primary transit stops along East Riverside Drive and generally coincides with the central core of the Hubs. It is the highest density district designation within the Corridor and ideally will contain buildings with multiple uses. Mixed use development is vital in this district. There is the potential for height and density bonuses within the hubs with the provision of community benefits.

Dense development in the ERC is intended to occur in development hubs where residential, commercial and mixed use developments will be in close proximity. The maximum density recommended by the plan is 55 dwelling units per acre. Additionally, it is envisioned by the plan that residents of these areas will be able to walk to a variety of nearby services. The site of the proposed zoning change is located about a half mile or less from the transit Hub on East Riverside that were planned for either rail or bus rapid transit. Any development in this area will have to provide pedestrian infrastructure to support greater walkability and access to transit. The ERC Master Plan identifies a significant need for more housing along the corridor, particularly more affordable housing. CMU areas allow additional entitlements provided that the developer builds or pays for affordable housing in the corridor area.

Table 2: Comparison of ERC Subdistricts

Permitted Land Uses in ERC Subdistricts			
	UR	NMU	**CMU**
Residential, attached	Permitted	Permitted	Permitted
Residential, detached	Not Permitted	Not Permitted	Not Permitted
Smaller-scale Retail (less than 50,000 sq ft)	Not Permitted	Permitted	Permitted
General Retail	Not Permitted	Not Permitted	Permitted
Office	Not Permitted	Permitted	Permitted
Warehousing & Light Manufacturing	Not Permitted	Not Permitted	Not Permitted
Education/Religion	Permitted	Permitted	Permitted
Hospitality (hotels/motels)	Not Permitted	Permitted	Permitted
Civic Uses (public)	Permitted	Permitted	Permitted
Development Standards in ERC Subdistricts			
	UR	NMU	CMU
Maximum Building Height *	40 ft	50 feet	60 feet
Maximum FAR*	0.75 to 1	1 to 1	2 to 1
Desired Minimum FAR	60%	60%	60%
Impervious Cover	65%	80%	90%

* Maximum FAR waived and maximum height increased with development bonus.

Imagine Austin

Imagine Austin addresses density, walkability, mobility, and transit on a Citywide scale. The plan has established goals and guidelines applicable to the ERC area. One of the primary themes of the IACP is to support the growth of Austin as a compact, connected city. Major challenges identified by the plan, and relevant to this case, include how to plan for additional population growth that is anticipated, how to increase housing supply near employment centers, and how to improve access to transit.

The Imagine Austin Growth Concept Map (IACP) identifies East Riverside Drive and South Pleasant Valley Road as suitable for High Capacity Transit. These corridors identify locations for rail or bus rapid transit that may provide transportation options and impact where businesses and people choose to locate. The map also identifies the East Riverside District as being within a Town Center. Town Centers are envisioned by the plan to be areas where people live and work as well as being important hubs in the transit network. ***Please see Exhibit K- Growth Concept Map.***

The following Imagine Austin Comprehensive Plan policies are applicable to this case:

- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit, are designed to encourage walking and bicycling, and reduce healthcare, housing and transportation costs.
- LUT P7. Encourage infill and redevelopment opportunities that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.
- LUT P32. Assure that new development is walkable and bikable and preserves the positive characteristics of existing pedestrian friendly environments.

- HN P4. Connect housing to jobs, child care, schools, retail, and other amenities and services needed on a daily basis, by strategies such as:
- Directing housing and employment growth to sites appropriate for Transit Oriented Development.
- Coordinating and planning for housing near public transportation networks and employment centers to reduce household transportation costs and vehicle miles traveled.
- HN P7. Reuse former brownfields, grayfields and vacant building sites to reduce negative impacts of vacancy and provide new mixed use and/or housing options.

The Imagine Austin policies referenced above and the Growth Concept Map support growth along High Capacity Transit Corridors.

PUBLIC INPUT

One of the conditions for rezoning in the ERC area is that a public meeting in the community is required, in addition to the public hearings at Planning Commission and City Council. Per Ordinance 20151015-086 a public meeting for this case was held on March 27, 2019 at the George Washington Carver Museum. Notification procedures were followed, and property owners, residents, and registered organizations within 500 feet of the property were notified of the meeting.

Planning and Zoning (PAZ) Staff delivered a presentation that covered information about the zoning process, the proposed rezoning, and the applicant's proposal. Staff also offered options for attendees to ask questions or provide input on the case. Staff from several other departments were in attendance and available for questions. ***Please see Exhibits O and P- Comment Cards, Correspondence.***

TRANSPORTATION:

The alignment for the proposed segment of Lakeshore Boulevard, east of Pleasant Valley has been reviewed by the Austin Transportation Department. ATD indicated a preferred alignment which would allow traffic to flow straight through the intersection, and not "jog." This alignment would take the street first onto an existing unbuilt right of way which runs parallel to the property line, and then onto the subject property itself.

ATD first looked at the applicant's full request for height and density and determined the type of street and intersection that would be needed. It was determined that more right of way would be needed beyond the existing 90 feet in width, primarily around the intersection, and totaling approximately 11,000 square feet. Because this area is within existing parkland - the Roy G. Guerrero Park - state law would require a Chapter 26 process to convert it to public right of way (Texas Parks and Wildlife Code, Title 3, Ch. 26). The Chapter 26 process is separate from zoning and goes to the Parks and Recreation Board, which makes a recommendation to Council. The Staff recommendation proposes less development than what the Applicant has proposed. ATD's assessment of the Staff recommendation has therefore resulted in fewer estimated trip movements through the intersection. It was determined that, with Staff's recommendation, a narrower cross section of roadway would be sufficient to accommodate projected traffic. This cross section would fit entirely within the existing 90' public right of way, thus avoiding the need for a Chapter 26 process. In sum, if Staff's recommendation, or some lower density, is approved, the Chapter 26 will be unnecessary.

A Traffic Impact Analysis (TIA) was performed for this set of zoning cases and a Staff TIA Memorandum is attached as Exhibit L. A key concept of the TIA is that any new development will have traffic impacts on the area in which it is located. The TIA considers the existing traffic patterns and volumes, and based on a model of the applicant's proposal, compares the potential future traffic patterns and volumes.
If these future volumes exceed certain thresholds, mitigation may be needed in order to improve the transportation network so that it can accommodate the projected level of use. This mitigation – in the form of specific projects - is then required of the applicant, in an amount that is roughly proportional to the level of impact. Also included as part of this TIA was a Transportation Demand Management Plan (TDM), which applies strategies to reduce or redistribute travel demand.

CASE MANAGER COMMENTS:

As shown in the tables above, CMU generally allows for higher buildings, a denser floor-area-ratio (FAR), and higher impervious cover allowances.
The ERC density bonus program provides additional entitlements if utilized. The program is intended to:

- Encourage construction of projects with height or density greater than is allowed in the ERC Subdistrict in exchange for the provision of community benefits;
- Encourage the provision of affordable housing and mixed income communities;
- Encourage additional density while allowing new development to support public benefits that are important to achieve as the East Riverside Corridor area transforms into a pedestrian-friendly urban neighborhood. These public benefits include affordable housing, open space, improved bicycling facilities, commercial or office uses, and improved flood and water quality controls.

To be eligible for the development bonus described in Subsection 6.3.3, the Applicant must provide public benefits as described below:

- A minimum of 50% of the Bonus Area shall be earned through the provision of on-site affordable housing or payment of an in-lieu fee for affordable housing, as described in Subsection 6.4.1; and
- A minimum of 25% of the Bonus Area shall be earned through the provision of publicly accessible open space, as described in Subsection 6.4.2; and
- The remainder of the Bonus Area shall be earned through the provision of any combination of public benefit options for which the project is eligible, as described in Section 6.4.
- A project providing a public benefit that meets certain criteria will be granted cumulative Bonus Area for all benefits for which the criteria is met.

Restrictive Covenants
There are two restrictive covenants (RCs) being considered along with the zoning cases. Staff supports the requested termination and amendment of these RCs. ***Please see Exhibit M-Restrictive Covenants.***

1. C14-72-204, originally dating from 1975, and applied to 497 acres, of which the subject properties are a part. The restrictive covenant limits the total number of units. The Applicant requests that their property be released from the restrictive covenant. This has been done in prior cases such as C14-72-204 (RCA3).

2. C14-97-0010, originally dating from 1997, concerns only Tract 4, at 1600 Wickersham Lane. The restrictive covenant requires a 6-foot fence around the entire property and one parking space for each bedroom. The Applicant has requested termination of this restrictive covenant, citing that with the redevelopment of the property, parking requirements would need to be followed and that fencing would not be needed.

BASIS OF RECOMMENDATION:

The first basis of the recommendations is that a rezoning should be consistent with the policies and principles adopted by the City Council or Planning Commission. The subject properties are located in an area identified for higher density through several planning efforts and adopted plans. In Imagine Austin, the area is within a town center, defined as areas where many people live and work as well as being important hubs in the transit network.

The East Riverside Corridor master plan and regulating plan indicate that the intersection of Riverside and Pleasant Valley is intended as a center or hub. Although the Hub is not drawn as a perfect circle around the intersection, close proximity to the existing Hub is a key factor to be considered.

The Strategic Housing Blueprint was adopted as the city's 10-year housing policy in 2017. The blueprint calls for 135,000 new housing units, and to make 60,000 of these available to households earning 80% or below of Austin's median family income. The blueprint also identifies preventing households from being priced out of Austin as a key community value. Here, the implications of this zoning decision must be carefully weighed; many people could potentially be displaced in this location. However, using the density bonus tools could result in the construction of new units that are required to remain affordable at levels described in the blueprint.

The second basis is that intensive multi-family zoning should be located on major arterials and highways; and that zoning should promote the policy of locating retail and more intensive zoning near the intersections of arterial roadways or at the intersections of arterials and major collectors. In the Austin transportation network, Riverside and Pleasant Valley are both designated as arterial roadways. In addition, the Austin Strategic Mobility Plan (ASMP) labels the roadways as Level 3 roadways, typically associated with increased need for transit.

The East Riverside Corridor master plan and regulating plan were developed between 2010 and 2013, when it was expected that a rail line would be constructed along Riverside Drive. Although the political will was not present for the rail to be approved and funded by the time of this writing, a rail line, bus rapid transit, or some other form of higher efficiency transit would make sense to go along Riverside, one of the main arterials south of the river and leading directly into downtown.

The third basis is that the rezoning achieves the compact and connected goals of Imagine Austin and the ERC Plan. This citywide plan and this small area plan both focus on provide safe and convenient opportunities for bicycle and pedestrian connectivity beyond standard City Code. The proposal also increases connectivity for vehicular access in the area that will provide route options. The mixed use nature of the rezoning will allow retail, service, and employment opportunities in close proximity to residences.

EXISTING ZONING AND LAND USES:

	ZONING	ERC Subdistrict	LAND USES
Site	ERC	NMU, UR	multifamily
North	P-NP	-	parks and recreation
South	Riverside, then ERC	CMU, NMU	Riverside, then commercial, multifamily
East	Country Club Creek West, then ERC, MF-3-NP	UR	Country Club Creek West, then multifamily
West	Pleasant Valley, then ERC	CMU, NMU	Pleasant Valley, then commercial, multifamily

NEIGHBORHOOD PLANNING AREA: Pleasant Valley

TIA: Required, Received, and Accepted (***See Exhibit K***)

WATERSHED: Country Club West

OVERLAYS: East Riverside Corridor Regulating Plan, Scenic Roadways (Riverside)

SCHOOLS: Baty Elementary School, Ojeda Middle School, Del Valle High School

SCHOOL DISTRICT: An Education Impact Study (EIS) was conducted for this site by the Del Valle Independent School District. (***See EIS, Exhibit N***).

NEIGHBORHOOD ORGANIZATIONS:
Austin Independent School District
Austin Neighborhoods Council
Crossing Gardenhome Owners Assn (The)
Del Valle Independent School District
East Riverside Corridor Staff Liaison
East Riverside/Oltorf Neighborhood Plan
El Concilio Mexican-American Neighborhoods
Friends of Riverside ATX Neighborhood
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Pleasant Valley
Riverside Farms Road Neighborhood Assn
South Lakeshore Neighborhood Association
Waterfront Condominium Homeowners Association
Austin Innercity Alliance
Bike Austin
Del Valle Community Coalition
East Austin Conservancy
Preservation Austin
Friends of Austin Neighborhoods
Seltexas
Tejana Bilingual Community
River Bluff Neighborhood Assoc
Sierra Club, Austin Regional Group

RELATED CASES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2012-0111, NPA-2011-0021.02 East Riverside Corridor (ERC) Regulating Plan	ERC Zoning, land use recs of ERC Master Plan	10-23-12 – Apvd ERC zoning, with conditions	05-09-13 – Apvd ERC with conditions on 3rd reading
NPA-2012-0021.02 East Riverside Corridor Regulating Plan (EROC NPA)	Neighborhood Plan Amendment (NPA) to change the use to Specific Regulating District	10-23-12 – Apvd NPA for ERC zoning districts	05-09-13 – Apvd with conditions on 3rd reading
C14-05-0113 Pleasant Valley Neighborhood Plan Rezoning – City Initiated	Neighborhood Plan	06-13-06 – Apvd Staff Rec with conditions	11-16-06 – Apvd Neighborhood Plan
C14-05-0113.01 Pleasant Valley Neighborhood Plan Rezoning (Tract 300) 1005 ½ S Pleasant Valley Rd	From MF-3 and MF-5 to P (initiated from Pleasant Valley Neighborhood Plan)	10-25-05 – Apvd P	03-09-06 – Apvd P
C14-02-0047, C14-02-0055 Jefferson Commons 1109 S Pleasant Valley Rd	From GO to MF-2 and GR-CO	06-04-02 – Apvd MF-2-CO w/ conditions, RR for floodplain, GR-CO w/ conditions	06-27-02 - APVD MF-2-CO (Tract 1-3) and RR (Tract 4), CO for limit of 216 units, limit of 2,000 trips per day; 08-01-02 – Apvd GR-CO, CO to prohibit auto uses, limit of 2,000 trips per day
C14-00-2044 JPI at the Ballpark (Pleasant Valley Sportsplex) 1225 S Pleasant Valley Rd	From CS to MF-2	05-02-00 – Apvd MF-2-CO	06-01-00 – Apvd MF-2-CO (Tract 1) and RR (Tract 2), CO for limit of 17 residents per acre, and 310 overall), required fence, limit of 2,000 trips per day
C14-97-0010 Pleasant Valley Student Housing	MF-3-CO	04-15-97 – Apvd MF-3	06-12-97 – Apvd MF-3-CO, CO for a limit of 16 units per acre

Pleasant Valley at Elmont			
C14-72-204(RCA3) 1401 South Pleasant Valley Road	Terminate RC as it applies to subject property	01-27-15 – Apvd amendment to RC	02-26-15 – Apvd amendment to RC
C14-2016-0115 2222 Town Lake 2225 Elmont Drive	From ERC-NMU to ERC-CMU	03-28-17 – Apvd CMU, inclusion in Huband eligible for 120' height density bonus	04-20-17 - Apvd CMU, inclusion in Huband eligible for 120' height density bonus
C14-2014-0099 1500 S. Pleasant Valley	NMU-CMU Inclusion in hub, Height Map (60ft), Development Bonus Height Map (65 ft).	Forwarded to Council without a recommendation	11-6-14- Apvd CMU, Inclusion in hub, Height Map (60ft), Development Bonus Height Map (65 ft).
C814-06-0109 Lakeshore PUD S Lakeshore Blvd	Planned Unit Development	02-27-07 – Apvd Staff rec for PUD with conditions	05-03-07 – Apvd PUD on 2nd and 3rd Readings
C14-2018-0064 Town Lake Circle II 2215 and 2315 Town Lake Circle	ERC-NMU to ERC-CMU, inclusion in the hub, eligibility for bonus height up to 120’	01-22-19 – Apvd ERC-CMU, inclusion in the hub, eligibility for bonus height up to 120’	04-11-19 – Apvd ERC-CMU, inclusion in the hub, eligibility for bonus height up to 120’

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
E Riverside Drive	120 feet	80 feet (divided)	Arterial	Yes	Yes, shared lane, route # 60	Yes
S Pleasant Valley Road	115 feet	75 feet	Arterial	Yes	Yes, bike lane, route # 61	Yes
Wickersham Lane	70 feet	45 feet	Collector	Yes	Yes, shared lane, route # 961	Yes
Elmont Drive	70 feet	45 feet	Collector	Yes	No	Yes

Crossing Place	100 feet	80 feet (divided)	Collector	Yes	No	Yes

OTHER STAFF COMMENTS:

Environmental- All Cases

- The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Country Club West Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.
- Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

Development Classification	*% of Gross Site Area*	*% of Gross Site Area with Transfers*
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

- Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
- Trees will likely be impacted with a proposed development associated with this rezoning case. Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- Please be aware that an approved rezoning status does not eliminate a proposed development's requirements to meet the intent of the tree ordinances. If further explanation or specificity is needed, please contact the City Arborist at 512-974-1876.
- Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.
- At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Environmental- Specific Cases

C14-2018-0026 According to floodplain maps there is a floodplain adjacent to the project location.

C14-2018-0027 - According to floodplain maps there is a floodplain within the project location.

•According to GIS, there is a wetland CEF on site and associated buffer.

•A major Critical Water Quality Zone exist on site, the buffer extends 300' from the creek centerline on both sides.

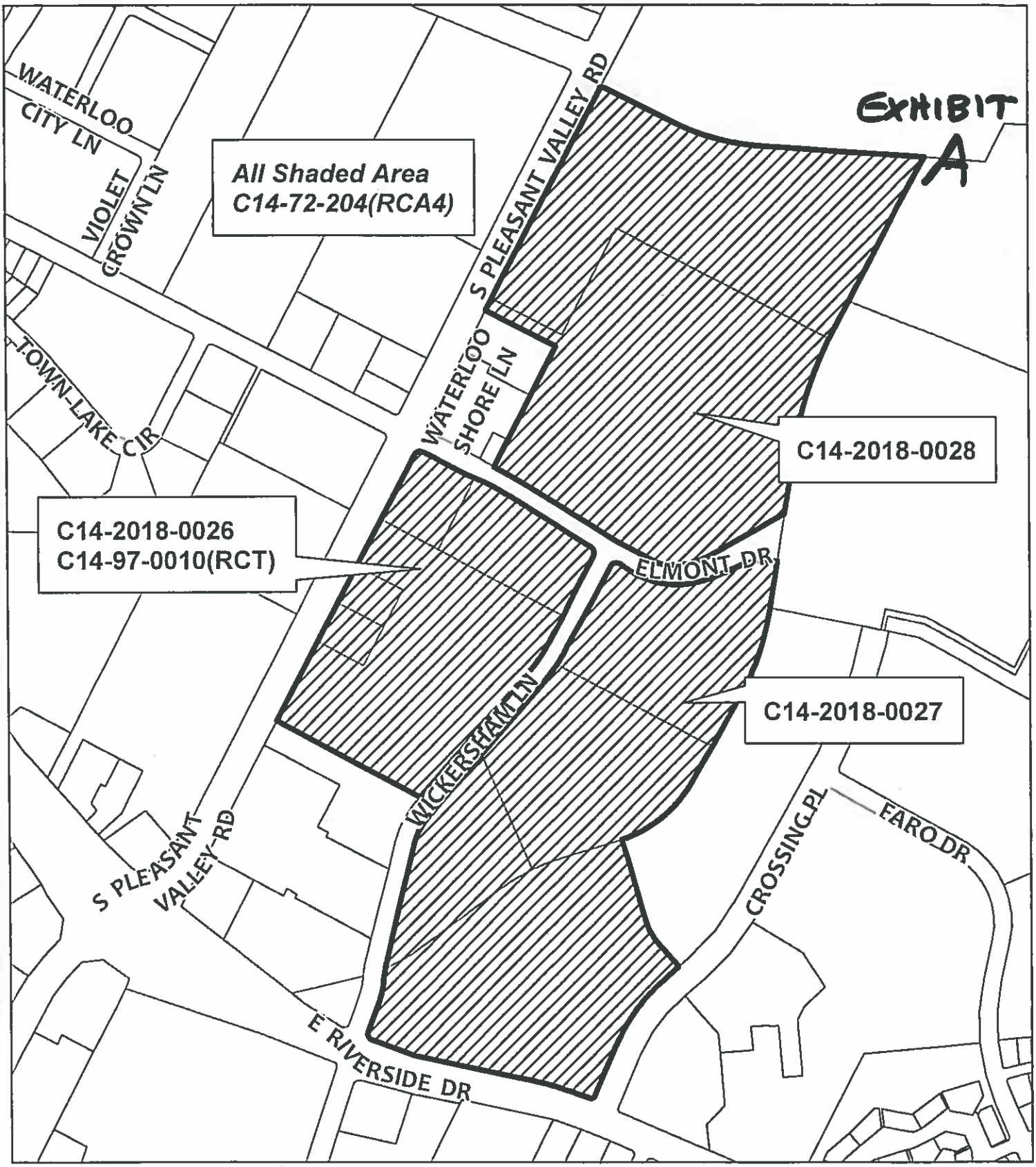
C14-2018-0028 - According to floodplain maps there is a floodplain within the project location. COA GIS indicates Critical Water Quality Zones located within the project location. Development is limited within the Critical Water Quality Zone per LDC 25-8-261 and 262.

Parks and Recreation – All Cases
PR1: FYI: The ERC requires parkland dedication at subdivision on large tracts. Due to the density being proposed, PARD will require parkland dedication in the form of pocket parks and urban plazas.
Parks and Recreation – Specific Cases
C14-2018-0028 - Due to the configuration required on ERC pedestrian priority collector streets, it is assumed that building edges in these tracts will face the park. Please provide more information about potential building frontages along the new Wickersham between Colorado River Park and the northernmost buildings.
PR4: FYI: Aligning Wickersham with Lakeshore Blvd would require a Chapter 26 process to be approved by the City Council. ATD would be the sponsoring department. PARD would require mitigation for the taking of parkland to be determined during the Chapter 26 process.

Site Plan- All Cases
This site will be subject to the site development standards of the East Riverside Corridor's Corridor Mixed Use (CMU) Subdistrict (see Figure 1-9 of the ERC Regulating Plan).

Austin Water Utility
The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and or abandonments required by the proposed land use. Depending on the development plans submitted, water and or wastewater service extension requests may be required. Water and wastewater utility plans must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fees once the landowner makes an application for Austin Water utility tap permits.

INDEX OF EXHIBITS TO FOLLOW
A. Tract and Application Map
B. Aerial Exhibit
C. ERC, Fig 1-2, Subdistrict Map
D. ERC, Fig 1-4, Active Edges Map
E. ERC, Fig 1-5, Collector Street Map
F. ERC, Fig 1-6, Hub Map
G. ERC, Fig 1-7, Base Height Map
H. ERC, Fig 1-8, Bonus Height Map
I. Proposed Street Grid
J. Applicant Letter
K. Growth Concept Map
L. Traffic Impact Analysis Memorandum
M. Restrictive Covenants
N. Education Impact Statement
O. Comment Cards
P. Correspondence



N

Subject Tracts

ZONING APPLICATIONS - CASE NUMBERS

0 250 500 Feet

1 inch = 500 feet

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 the Planning and Zoning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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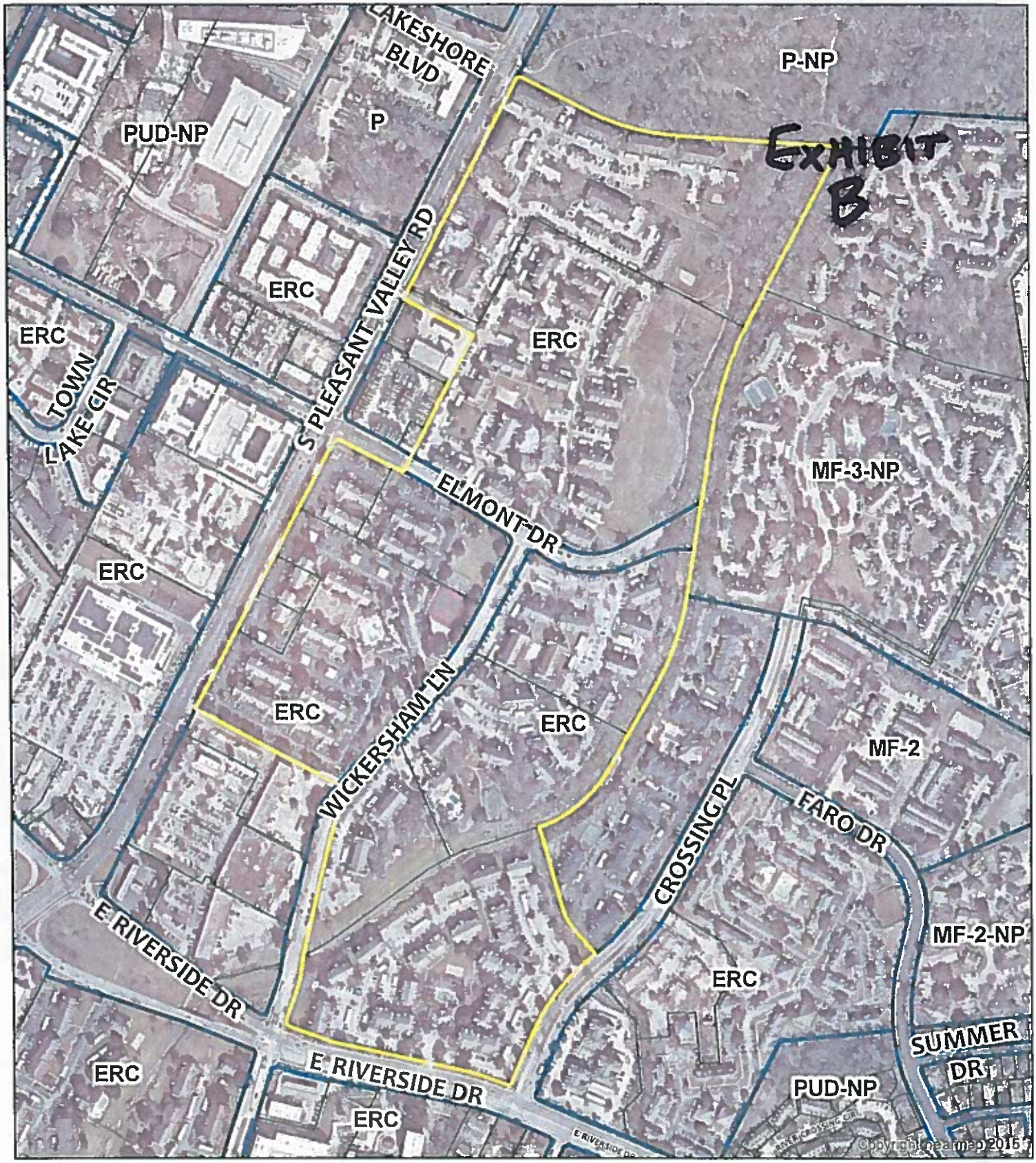

N

Subject Properties

Zoning Boundary

1 inch = 500 feet

0 250 500 Feet

ZONING & VICINITY

Zoning Cases: C14-2018-0026
C14-2018-0027
C14-2018-0028
C14-97-0010(RCT)
C14-72-204(RCA4)

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FIGURE 1-2: East Riverside Corridor Subdistrict Map

Identifies the subdistrict for each property within the ERC boundary.

EXHIBIT C

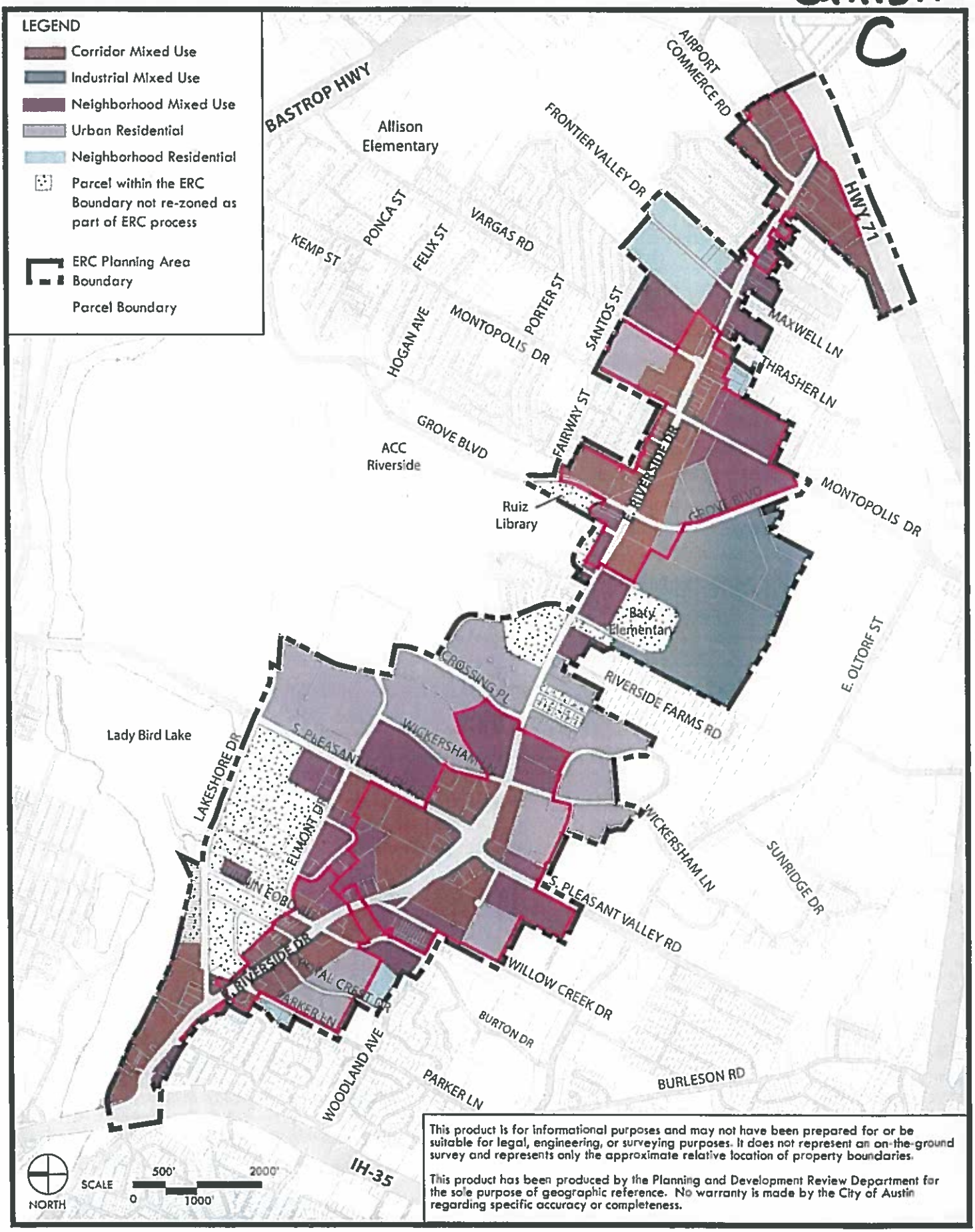

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Figure 1-4: East Riverside Corridor Active Edges Map

This map shows properties that have an active edge requirement and on which street face the active edge is located. The requirements for Active Edges can be found in Section 5.6 of this document.

EXHIBIT D

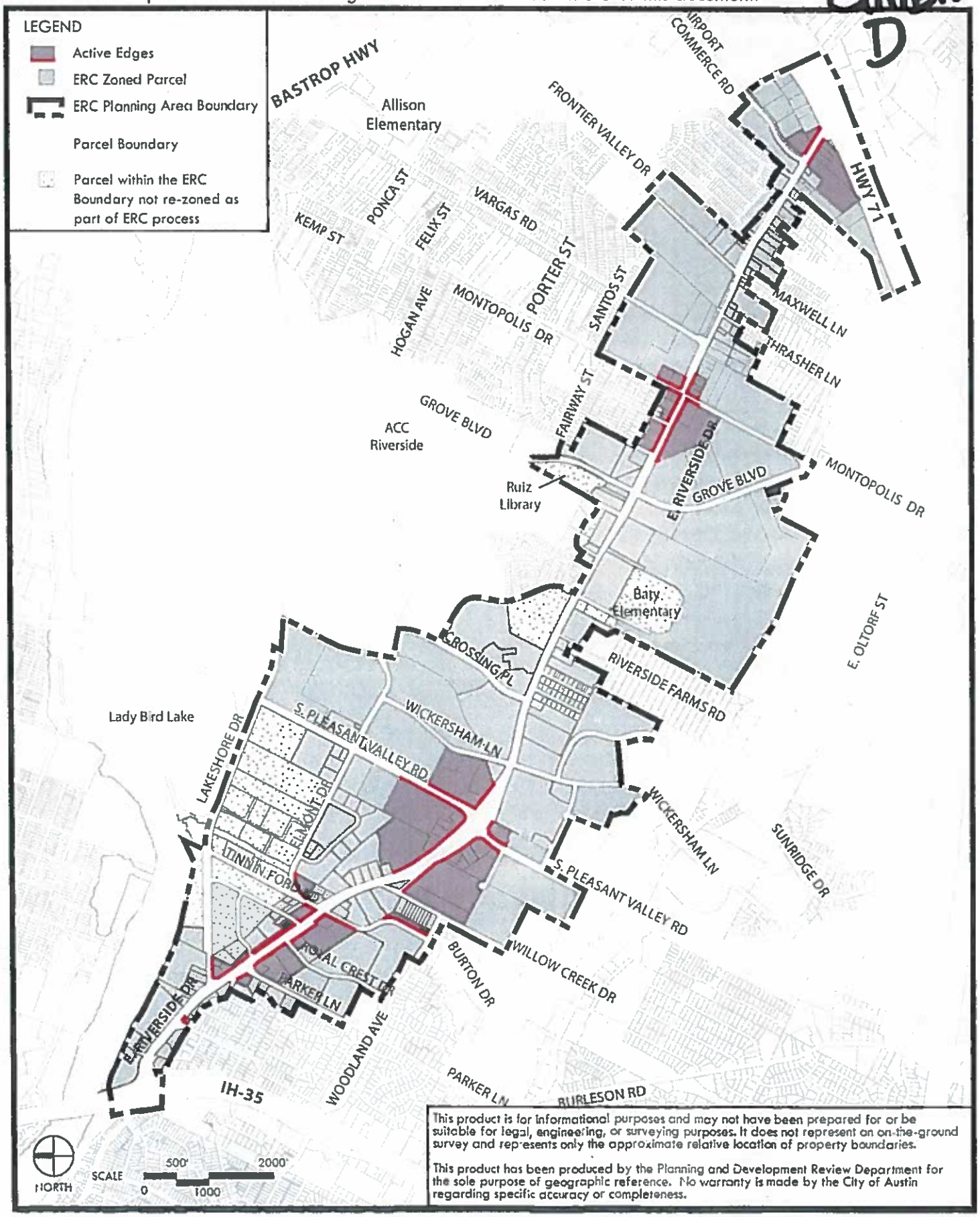

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Figure 1-5: East Riverside Corridor Collector Street Map

Shows existing and new streets designated as Collector streets.

EXHIBIT E

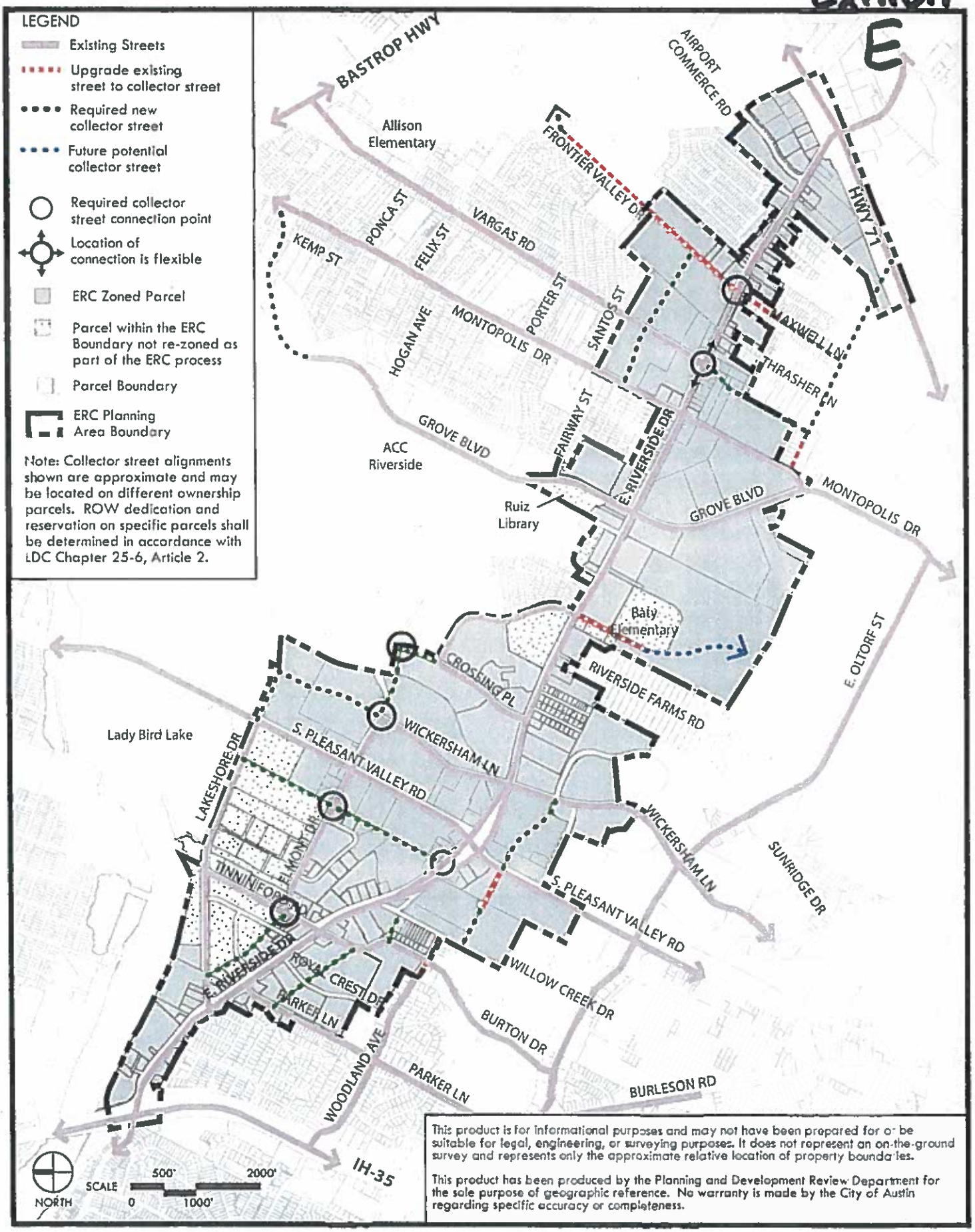

FIGURE 1-6: East Riverside Corridor Hub Map

This map shows the Hubs within the ERC boundary. Properties located within a Hub are eligible for additional entitlements as outlined in Article 6.

EXHIBIT F

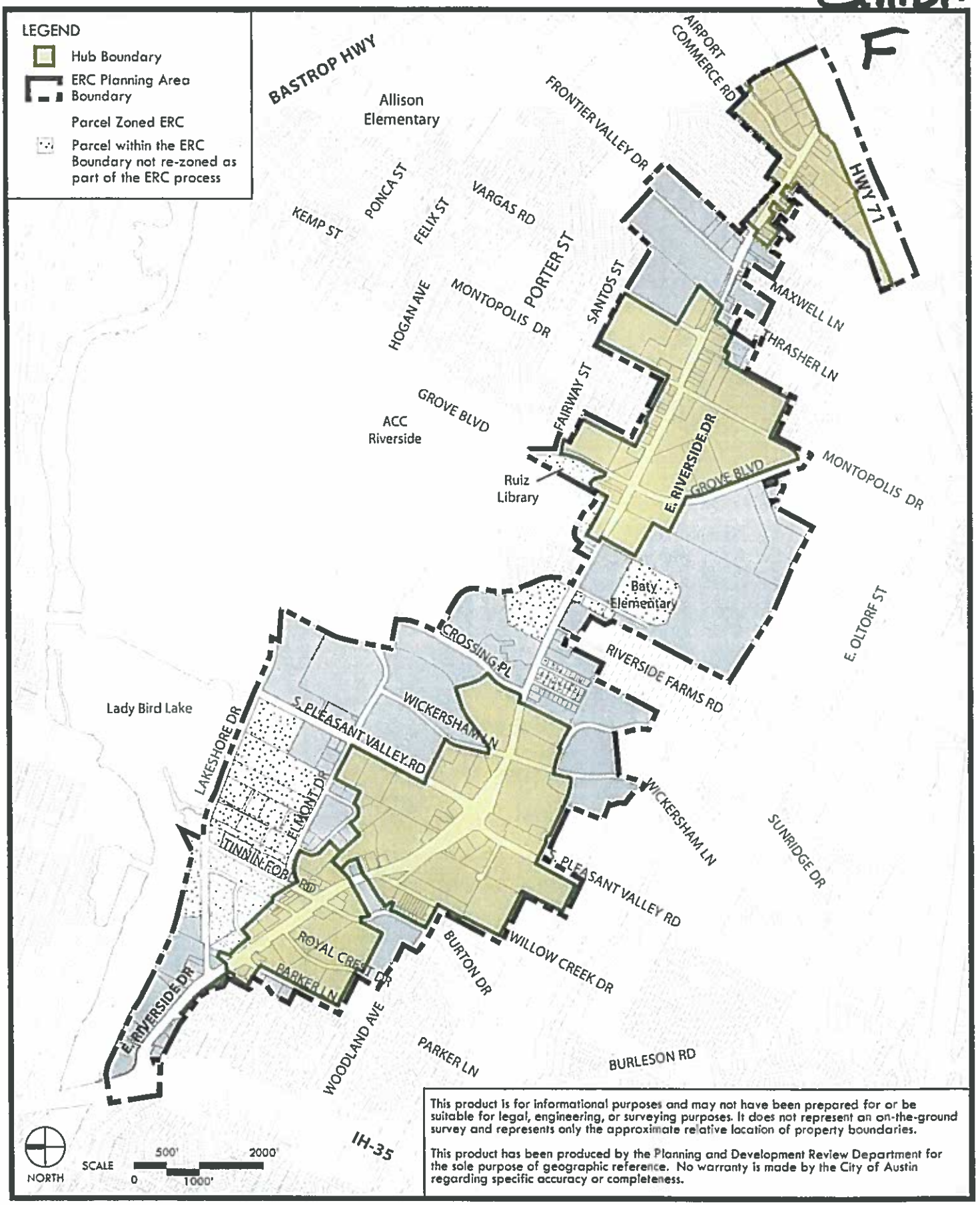

FIGURE 1-7: East Riverside Corridor Height Map

This map shows allowable building heights on a parcel without a development bonus.

EXHIBIT G

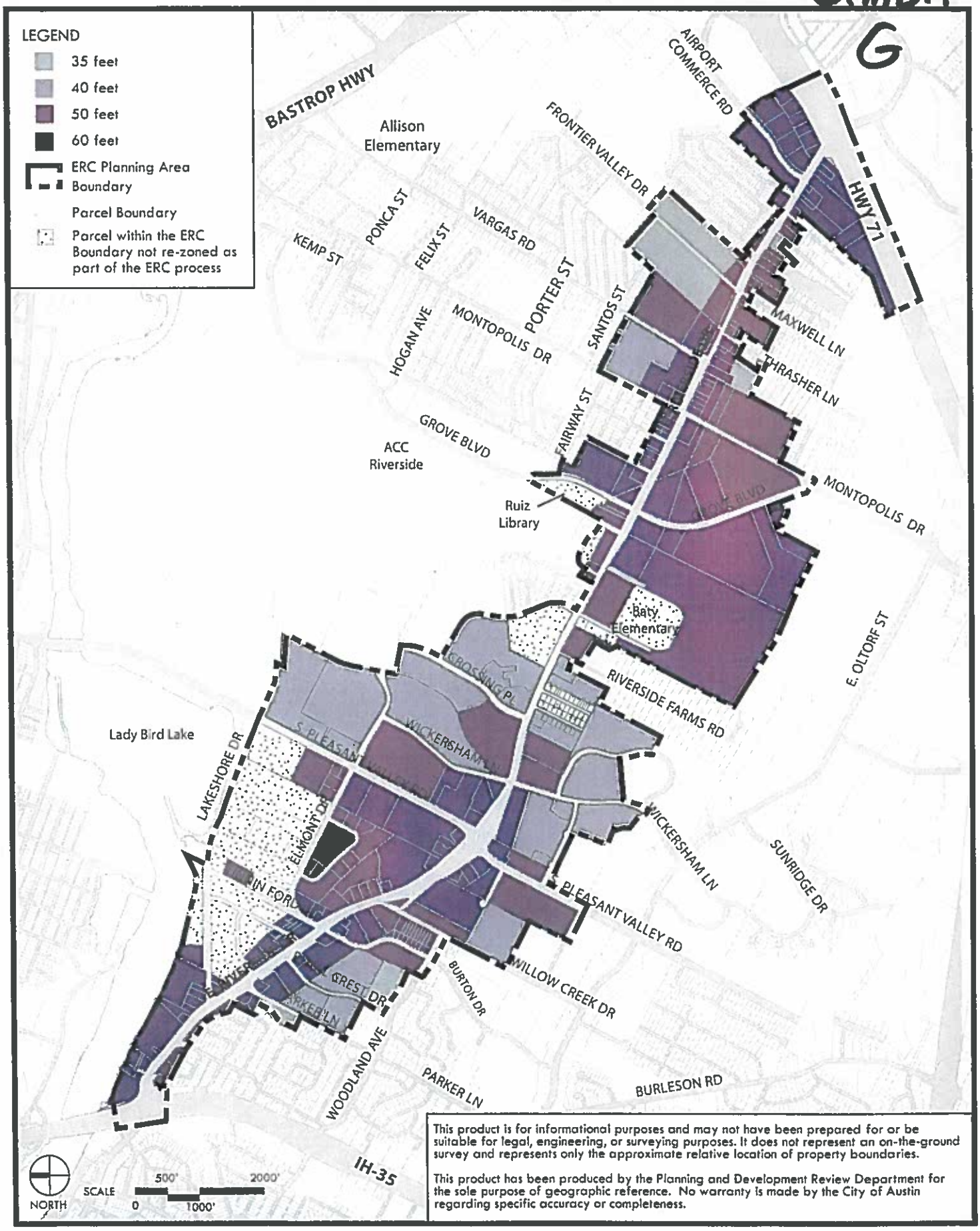

FIGURE 1-8: East Riverside Corridor Development Bonus Height Map

This map shows eligible properties and maximum heights allowed with a development bonus.

EXHIBIT H

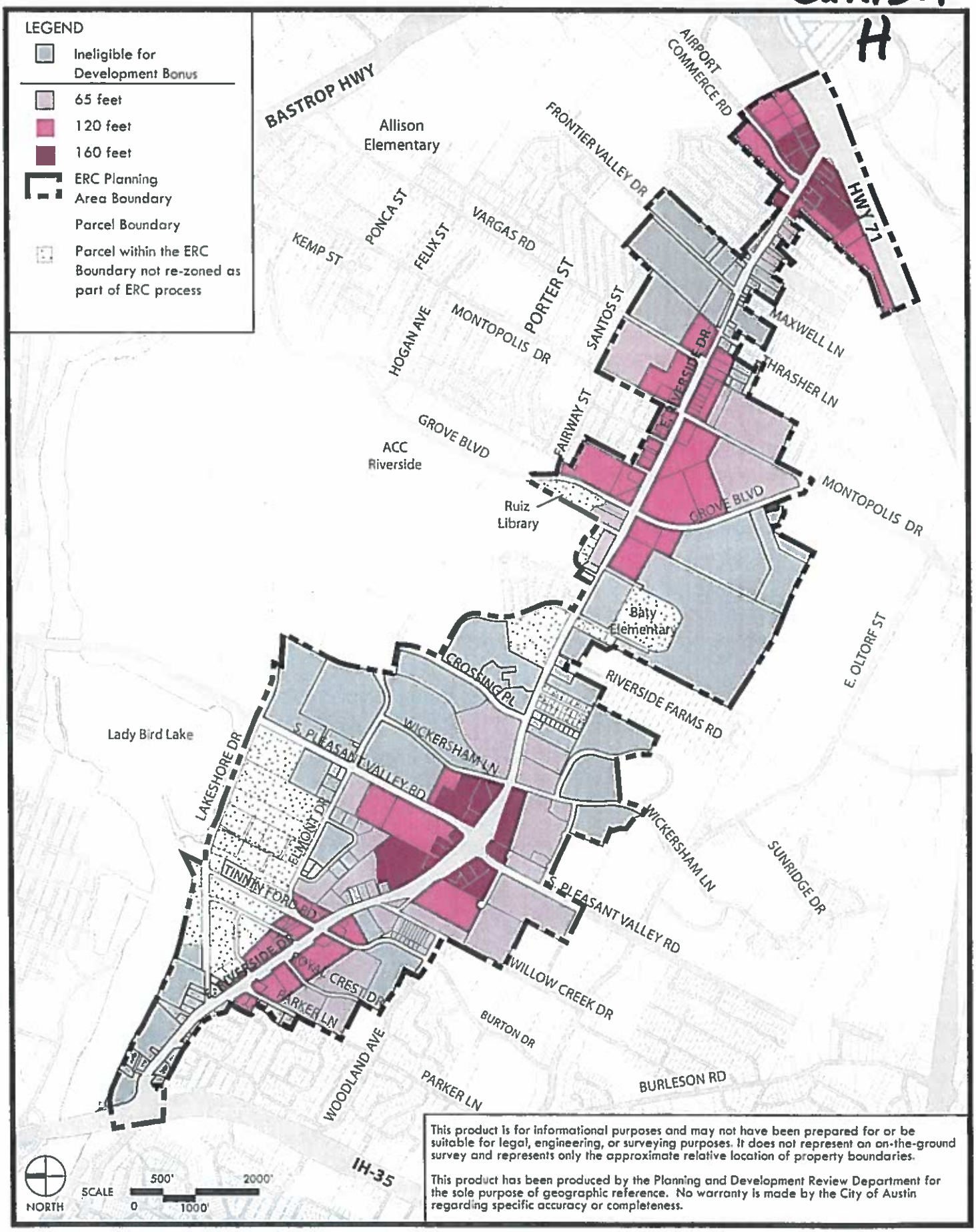

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EXHIBIT I

PROPOSED BLOCK CONFIGURATION

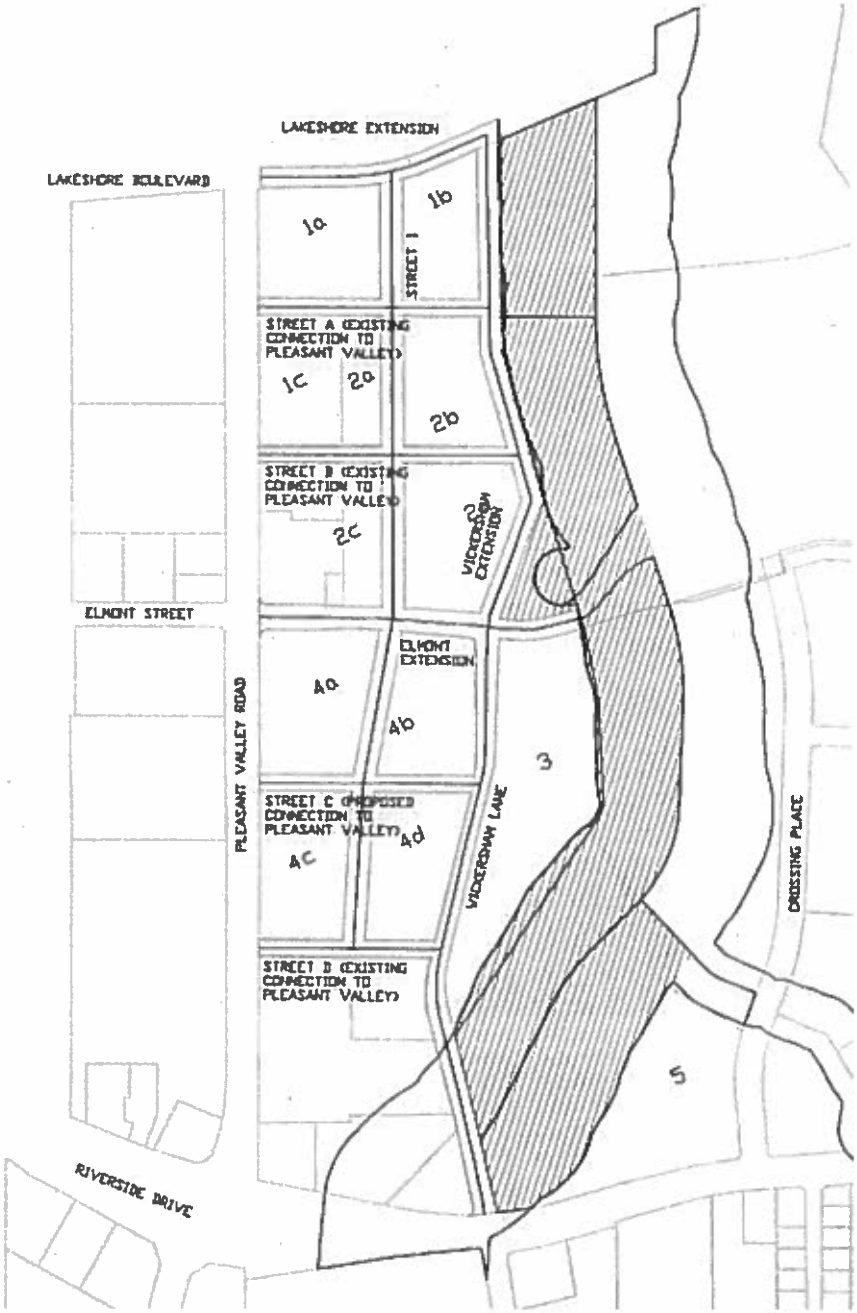


EXHIBIT J

ARMBRUST & BROWN, PLLC
ATTORNEYS AND COUNSELORS
100 CONGRESS AVENUE, SUITE 1300
AUSTIN, TEXAS 78701-2744
512-435-2300
FACSIMILE 512-435-2360

MICHAEL J. WHELLAN
(512) 435-2320
mwhellan@abaustin.com

March 9, 2018

Via Hand Delivery

Greg Guernsey
Planning and Zoning Department
City of Austin
505 Barton Springs Rd., 5th Floor
Austin, Texas 78704

Re: Applications Related to 97.09 acres at E. Riverside Dr. and S. Pleasant Valley Rd.

Dear Greg:

The rezoning applications attached to this letter seek to modify the zoning from a variety of categories with different site development regulations and, in some cases, no opportunity for a density bonus with affordable housing, to Corridor Mixed Use with the opportunity for additional height and a density bonus as provided in the Regulating Plan for the East Riverside Corridor Zoning District. *See* attached chart. The project goal is to establish a consistent set of site development standards that will allow for the creation of an urban village with housing, including affordable units pursuant to the regulating plan, ground floor retail, general office, medical/dental office, and hotel uses.

The 97.09-acre site at E. Riverside Dr. and S. Pleasant Valley Rd. currently has 1,308 apartment units. Because of the site's proximity to the Oracle campus, additional office space will create an independent employment node outside of downtown on a key transit corridor. In fact, this dense node outside downtown will complement the efforts to bolster E. Riverside Dr. as a transit corridor. A Traffic Impact Analysis will be submitted that reflects the improving transit and multi-modal opportunities due to the site's favorable location.

The redevelopment also has the potential to meaningfully boost Del Valle Independent School District's tax base. Based on a preliminary analysis, this redevelopment has the potential to provide up to tens of millions in tax revenue for Del Valley ISD. The Del Valle ISD school budget is a total of approximately $95 mm in revenue (of which $49 mm is from "local, intermediate and other sources"), and approximately $109 mm is total expenditure; therefore, the potential payment to Del Valle ISD would represent at least 10% of the "local, intermediate and other" revenue.

Significant portions of the 97.09-acre site sit along Country Club Creek and is currently developed with impervious cover and buildings in the water quality transition zone and the

floodplain. Upon full redevelopment, up to 9 acres of impervious cover within the water quality transition zones and floodplain may be removed. At the time these lots were developed, only tracts 1 and 2 were required to include water quality facilities; in contrast, the redevelopment will allow for the application of current environment code provisions, including water quality facilities adjacent to Country Club Creek. Moreover, because of the site's proximity to Ladybird Lake and trails, additional trail connections and parkland will help interconnect the City's trail system and public park space in the area.

Ultimately, the site could have up to 4,709 multi-family units, 600 hotel rooms, approximately 4,000,000 ft.^{2} of office, 60,000 ft.^{2} of medical/dental office space, and approximately 435,000 ft.^{2} of ground floor commercial space. This urban village setting will create opportunities for seamless connectivity to Oracle and multimodal connections to key corridors.

In addition to the rezoning applications, there are two applications to modify or release the property from restrictive covenants; in particular, a 1975 restrictive covenant that limits the number of dwelling units on each tract and a 1997 restrictive covenant concerning fencing and parking.

Of course, as the zoning application process unfolds, we will be available to answer questions.

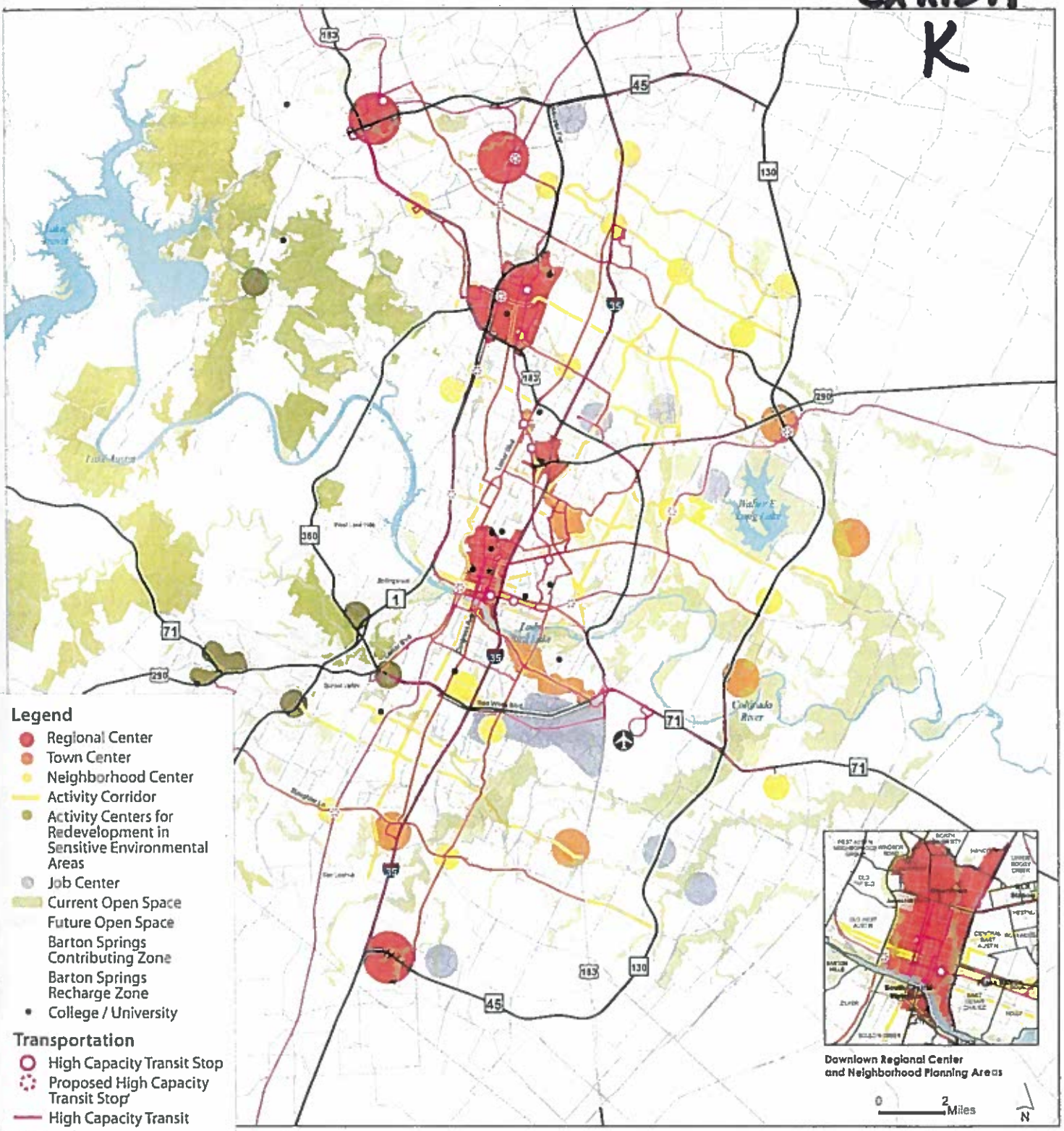
Very truly yours,

Michael J. Whellan

Tracts	Address	Current Zoning	Proposed Zoning
1 and 2	1109 S. Pleasant Valley Rd. and 1225 S. Pleasant Valley Rd.	East Riverside Corridor–Urban Residential (ERC-UR)	East Riverside Corridor–Commercial Mixed Use (ERC-CMU) Modify Figure 1-6 of the Regulating Plan to include in the Hub. Modify Figure 1-8 of the Regulating Plan to allow for a maximum height of 160' with development bonus.
4	1600 Wickersham Ln.	East Riverside Corridor–Neighborhood Mixed Use (ERC-NMU)	East Riverside Corridor–Commercial Mixed Use (ERC-CMU) Modify Figure 1-6 of the Regulating Plan to include in the Hub. Modify Figure 1-8 of the Regulating Plan to allow for a maximum height of 160' with development bonus.
3 and 5	4700 E. Riverside Dr.	East Riverside Corridor–Neighborhood Mixed Use (ERC-NMU) and East Riverside Corridor–Urban Residential (ERC-UR)	East Riverside Corridor–Commercial Mixed Use (ERC-CMU) Modify Figure 1-6 of the Regulating Plan to include in the Hub. Modify Figure 1-8 of the Regulating Plan to allow for a maximum height of 160' with development bonus.

Figure 4.5 Growth Concept Map

EXHIBIT K



Map Disclaimers: A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries. 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 the gra for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

EXHIBIT L

MEMORANDUM

Date:	June 4, 2019
To:	Joi Harden, Zoning Case Manager, Division Manager, Planning and Zoning Department
CC:	Bobak Tehrany, P.E., BOE Consulting Services, LLC Michael Whellan, Armbrust & Brown, PLLC Eric Bollich, P.E., PTOE, Austin Transportation Department Upal Barua, P.E., P. Eng., PTOE, Austin Transportation Department
Reference:	4700 E Riverside Dr (97 Acres) (E Riverside Dr and S Pleasant Valley) – Transportation Impact Analysis Final Memo C14-2018-0026, C14-2018-0027, & C14-2018-0028

Summary of the Transportation Impact Analysis (TIA):

The Austin Transportation Department (ATD) has thoroughly reviewed the *"97 Acres TIA"* dated May 7, 2019, prepared by BOE Consulting Services LLC (BOE Consulting). The development covers about 97 acres at the northeast corner of E Riverside Drive and S Pleasant Valley Road, in southeast Austin. The development is anticipated to be completed in five phases.

The Applicant has submitted a TIA (dated May 7, 2019) which assumes the intensity proposed by the applicant and that is beyond staff's recommended intensity. Therefore, the TIA submitted by the Applicant considers more trips than are recommended by City of Austin (COA) staff. COA Transportation staff considered this while reviewing the TIA and prepared the following memo summarizing the transportation recommendations based on the staff recommended (reduced) intensity.

Below is a summary of our review findings and recommendations:

1. The Applicant shall design and construct and fund 100% of the off-site improvements identified in Attachment C as part of their site development applications, as identified for each tract. Off-site improvements should be included within the first site plan for each identified tract. No temporary certificate of occupancy (TCO) shall be issued until the construction of the identified improvements is complete. Note: Cost estimates **should not** be assumed to represent the maximum dollar value of improvements the applicant may be required to construct.

2. Fee in-lieu contribution to the City of Austin is recommended to be made for the improvements identified in Attachment D totaling $4,006,000.00, before third reading at City Council.
3. The Applicant is required to achieve a vehicle trip reduction per phase as described in Table 5. The Applicant commits to implement the Transportation Demand Management (TDM) plan submitted with the TIA. Site plan applications submitted under this zoning should provide a letter demonstrating compliance with the TDM plan. Annual monitoring reports should also be submitted for the site to ensure compliance. If reduction targets are not met, site plan permits under all three zoning cases may be held based on the criteria described in the TDM plan.
4. The Applicant shall construct all on-site, public roadways to meet requirements of the ERC and required cross sections based on the results of the TIA.
5. The Applicant shall construct the Country Club Trail through the site to the cross section identified in the TIA.
6. Development of this property should not vary from the approved uses or deviate from the approved intensities and estimated traffic generation assumptions within the finalized TIA document, including land uses, trip generation, trip distribution, traffic controls, driveway locations, and other identified conditions. Any change in the assumptions made to the TIA document shall be reviewed by ATD and may require a new or updated TIA/addendum.
7. The Applicant shall provide two copies of the final, updated version of the TIA before 3rd reading, matching Council's approved intensity recommendation.
8. The findings and recommendations of this TIA memorandum remain valid until five (5) years from the date of this memo, after which a revised TIA or addendum may be required.

Below are the notable differences in staff's recommendation from the applicant's TIA based on staff's recommended intensity:

1. Staff's recommendation reduces the number of trips generated.
2. A 26% overall TDM reduction target should be applied instead of proposed 37%.
3. The circulator shuttle service is not required to achieve the TDM reduction.
4. The Lakeshore Boulevard extension cross section will not require right-of-way (ROW) in the parkland and therefore would not require a Chapter 26 process.

Site Location and Existing Conditions

The proposed 97 acres site is located at Pleasant Valley Road and East Riverside Drive. See Attachment A for the site location map. The surrounding roadways are described further below.

East Riverside Drive is a six-lane divided major arterial that provides east-west movements in the vicinity of the Project. The posted speed limit on East Riverside Drive between IH 35 and South Pleasant Valley Road is 35 miles-per-hour (mph), and between South Pleasant Valley Road and State Highway (SH) 71 is 40 mph. Based on traffic counts collected as part of the analysis on November 7, 2018, East Riverside Drive, east of Willow Creek Drive, experiences 19,783 vehicles per day (vpd) traveling eastbound and 22,750 vpd traveling westbound for a total of 42,533 vpd. The roadway is classified as Level 3 in the Austin Strategic Mobility Plan (ASMP)

South Pleasant Valley Road is a four-lane divided major arterial that provides north-south movements in the vicinity of the Project. The posted speed limit on South Pleasant Valley Road is 45 mph. Based on data collected as part of the analysis on November 7, 2018, South Pleasant Valley Road, south of East Riverside Drive experiences 7,603 vpd traveling southbound and 8,362 vpd traveling northbound for a total of 15,965 vpd. The roadway is classified as Level 3 in the ASMP.

Oltorf Street is a four-lane divided major arterial. The posted speed limit on Oltorf Street is 35 mph. The roadway is classified as Level 3 in the ASMP.

Lakeshore Boulevard is a two-lane City Collector that provides mobility between East Riverside Drive and South Pleasant Valley Road. The posted speed limit on Lakeshore Boulevard is 35 mph. The roadway is classified as Level 2 in the ASMP.

Elmont Drive is a two-lane City Collector that provides mobility between Tinnin Ford Drive and South Pleasant Valley Road. The roadway is classified as Level 2 in the ASMP.

Wickersham Lane is a two-lane City Collector that provides mobility between Elmont Drive and East Riverside Drive. The roadway is classified as Level 2 in the ASMP.

A trip generation study was conducted to determine the number of vehicle trips for the existing land uses. The existing land uses can be found in Table 1.

Table 1: Existing Trip Generation

Proposed Land Use		Size / Unit		24-Hour Two Way Volume	AM	PM
220	Apartments (Tract 1)	216	DU	1668	85	98
220	Apartments (Tract 2)	282	DU	2,177	84	162
220	Apartments (Tract 3)	270	DU	2,084	86	140
220	Apartments (Tract 4)	288	DU	2223	91	140
220	Apartments (Tract 5)	252	DU	1,945	89	148
			Total Existing	**10,097**	**435**	**688**

Assumptions:

1. The development will build out over five phases. The buildout of Phase 1 is anticipated to be complete in 2023 with another phase every 5 years, until final buildout in Phase 5 (2043).
2. Transportation Demand Management (TDM) measures will reduce trips by 26%.
3. Based on TxDOT AADT volume data, a two (2) percent annual growth rate was assumed from the existing condition to Phase 2 (2028) and then 1% form Phase 3 (2033) to project buildout (2043).
4. Considerations were made for the following projects in the analysis found in Table 2 below.

Table 2: Background Projects			
Project Name	Permit Number	Project Name	Permit Number
Presidium Apts. At Riverside	SP-2015-0066C	4711 E. Riverside Drive	SP-2015-0377C
Riverside III	SP-2015-0356C	Montopolis Recreation Center	SPC-2016-0582C
Ben White Self Storage Facility	SP-2015-0410C	1700 Willow Creek	SP-2017-0238C
Hotel on John Glenn	SP-2015-0577C	The Mont	SP-2017-0204C
Motel 6./Studio 6 at Airport Commerce	SP-2015-0578C	METCALFE Townhomes	SP-2017-0164C
The Waterfront (Phase 1)	SP-2016-0096C	AMD Highway 71 Campus	SP-2017-0094C
Aura Riverside	SP-2016-0512C	Lenox Oaks	SP-2017-0030C
AMLI South Shore (Phases 1 & 2)	SP-2011-0180C	JD's Gas Station	SP-2016-0525C
AMLI South Shore Phases II	SP-2016-0501C	TRU Hotel	SP-2016-0455C
6400 Riverside Mixed Use	SP-2017-0207C	Mariposa Flats	SP-2016-0431C
JD's Market No 8	SP-2017-0532C	Sunridge Condominiums	SP-2016-0422C

Trip Generation and Land Use:

A custom trip generation for the site was used based on traffic counts obtained at existing driveway locations for apartment and hotel land uses. Other land use's trip regenerations are based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (9th Edition). The development will generate approximately 53,036 unadjusted average daily vehicles trips (ADT) at full build out.

Due the significant number of vehicle trips and the anticipated traffic load on the roadway network, the applicant has committed to a Transportation Demand Management (TDM) Plan to reduce their site vehicle trips by 26%. Table 3 shows the adjusted trip generation by land uses for the proposed development.

Table 3: Adjusted Trip Generation						
Proposed Land Use		Size / Unit		24-Hour Two Way Volume	AM	PM
Proposed Tract 1 (Phase 1 - 2023)						
220	Apartments	216	DU	1,234	52	83
			Total Proposed Tract 1	1,234	52	83
Proposed Tract 2 (Phase 2 - 2028)						
220	Apartments	141	DU	806	34	54
710	General Office	104,793	SF	4,204	710	884
820	Shopping Center	25,592	SF	778	17	73
			Total Proposed Tract 2	5,787	761	1,010
Proposed Tract 3 (Phase 3 - 2033)						
220	Apartments	1,280	DU	7,313	306	493
310	Hotel	600	Keys	2,269	189	197
710	General Office	69,375	SF	278	47	58
720	Medical-Dental Office	60,000	SF	1,604	106	158
820	Shopping Center	256,250	SF	7,788	172	724
			Total Proposed Tract 3	19,251	821	1,631
Proposed Tract 4 (Phase 4 - 2038)						
220	Apartments	830	DU	4,742	198	320
710	General Office	1,958,027	SF	7,854	1,327	1,651
820	Shopping Center	138,957	SF	4,223	93	393
			Total Proposed Tract 4	16,819	1,618	2,364
Proposed Tract 5 (Phase 5 - 2043)						
710	General Office	911,925	SF	3,658	618	769
			Total Proposed Tract 5	3,658	618	769
			Total Overall Proposed	**46,749**	**3,869**	**5,857**
			Total Net Increase	**36,651**	**3,433**	**5,168**

Proposed Conditions

Intersection Traffic Operations:

The nature of this development and its potential impact on traffic operations requires us to evaluate the site in an urban context. The East Riverside Corridor (ERC) regulating plan as outlined in the Imagine Austin Plan and Project Connect envisions a connected corridor, with a neighborhood center with ample access to multiple transit and multi-modal options in the area.

Metrics for traditional Level of Service (LOS) analysis used for a suburban context are not directly applicable to this development's site context. Table 4, below, lists each study intersection and identifies if traffic operations are acceptable in suburban and urban context. Acceptable suburban traffic operations follow the traditional LOS definition. In an

urban context, vehicle traffic must be functional to be considered acceptable and other modes of transportation must also be considered. The recently adopted Austin Strategic Mobility Plan (ASMP) tasks the City to include all modes when assessing a developments impact, and therefore, it is improper to use LOS as the only metric to evaluate the development's impact.

The traffic analysis considered 34 intersections. Of the 34 intersections, 27 require infrastructure improvements to achieve adequate traffic operations in a suburban context. However, only 14 intersections require further vehicular improvements if we consider an urban context. Of these 14 locations, 7 have been identified to be improved by the developer.

Table 4 – Intersection Operation by Site Context					
Location	Acceptable		Acceptable with Improvements		Developer to Construct Improvements?
	Suburban Context	Urban Context	Suburban Context	Urban Context	
Oltorf Street & Parker Lane	Y	Y	Y	Y	N
Oltorf Street & Burleson Road	N	N	Y	Y	N
Oltorf Street & Douglas Street	Y	Y	NA	NA	N
Oltorf Street & Willow Creek Drive	Y	Y	NA	NA	N
Oltorf Street & Pleasant Valley Road	N	Y	Y	Y	N
Oltorf Street & Wickersham Lane	Y	Y	NA	NA	N
Oltorf Street & Montopolis/Private Drive	N	Y	Y	Y	N
Riverside Drive & Grove Blvd	N	Y	Y	Y	N
Riverside Drive & Faro Drive	Y	Y	NA	NA	N
Riverside Drive & Crossing Place/Private Drive	N	Y	Y	Y	N
Riverside Drive & Wickersham Lane	N	N	Y	Y	Y
Riverside Drive & Willow Creek Drive	N	Y	Y	Y	N
Riverside Drive & Tinnin Ford Road/Burton Drive	N	Y	N	Y	N
Riverside Drive & Royal Crest Drive	N	N	N	Y	N
Riverside Drive & Shore District Drive/Parker Lane	N	N	Y	Y	Y
Riverside Drive & Lakeshore Blvd	N	N	Y	Y	Y
Riverside Drive & IH 35 SBFR	N	N	NA	NA	N
Riverside Drive & IH 35 NBFR	N	N	NA	NA	N
Pleasant Valley Road & Elmont Drive	N	N	N	Y	Y
Pleasant Valley Road & Lakeshore Blvd/Driveway A	N	N	N	Y	Y
Pleasant Valley Road & King Fields Driveway	N	Y	Y	Y	Y
Pleasant Valley Road & Cesar Chavez Street	N	N	Y	Y	Y
Pleasant Valley Road & 7th Street	N	N	Y	Y	N
Pleasant Valley E Crossover & WB Riverside Drive	N	Y	N	Y	N
EB Riverside Drive & Pleasant Valley W Crossover	N	Y	N	Y	N
Oltorf Street & Burton Drive	N	N	Y	Y	N
Montopolis Drive/Private Drive & Grove Blvd	N	N	Y	Y	N
Pleasant Valley Road & Commercial Driveway South	Y	Y	NA	NA	N
Pleasant Valley Road & Commercial Driveway North	Y	Y	NA	NA	N
Pleasant Valley Road & Town Lake/Ball Park Dwy	Y	Y	NA	NA	N
Pleasant Valley Road & Town Lake MF Driveway	Y	Y	NA	NA	N
Pleasant Valley Road & Driveway E	Y	Y	NA	NA	N
Pleasant Valley Road & EB Riverside Drive	Y	Y	NA	NA	N
Pleasant Valley Road & WB Riverside Drive	Y	Y	NA	NA	N

Of the locations identified, the developer shall be required to construct improvements on seven locations based on the pro-rata share of the development's impact. The proposed development would have direct impacts on these seven locations. Hence, it would be

essential for the Applicant to construct improvements that would ensure safe and efficient traffic operations.

There are other locations that were identified for improvements. However, those improvements did not appear feasible from an engineering perspective, or had less of an impact from the proposed development (low pro-rata share). Some of these improvements would be implemented by Mobility 35 Project or by 2016 Mobility Bond Project in the near future.

Transportation Demand Management (TDM) Plan

The ASMP identifies TDM as an important strategy to encourage sustainable modes of transportation and discourage driving alone. Additionally, the site location and changing transportation environment along the East Riverside Corridor will allow TDM to be an effective way to reduce the demand on transportation infrastructure.

The Applicant has committed to a TDM plan to meet certain vehicle trip reduction targets. In the TDM plan the Applicant may select from a 'toolbox' of TDM measures which can be implemented to achieve the required vehicle trip reduction. This allows the development to tailor measures based on specific land use and provide flexibility as technology and transportation change over the life of the project. Annual reports are required to ensure that the development is reducing the number of vehicle trips.

Additionally, the Applicant is required to implement the following key TDM measures to achieve the goals of the TDM plan:

- Parking maximum at full buildout: 80% of LDC requirements; and
- Unbundled parking for all land use types

The Applicant has also committed to create, or act as, a Transportation Management Association (TMA), to coordinate the TDM plan across the entire development. The Applicant may then use the toolbox of measures to achieve the vehicle trip reduction targets established by phase. Trip benchmarks are shown in Table 5.

Table 5 – TDM Trip Reduction Benchmarks

Phase	Estimated Maximum Peak Hour Trip Range	Trip Reduction
1	From [0 – 150]	Represents a required reduction of **15%** within this phase at full buildout of this phase.
2	From [150 – 1,500]	Represents a required reduction of **20%** within this phase at full buildout of this phase.
3	From [1,500 – 3,700]	Represents a required reduction of **26%** within this phase at full buildout of this phase.
4	From [3,700+]	Represents a required reduction of **26%** within this phase at full buildout of this phase.
5		Represents a required reduction of **26%** within this phase at full buildout of this phase.

If the site is not in compliance with the required trip reductions in the zoning ordinance, site plan permits may be held until the applicant revises their TDM plan, provides additional mitigations, or commits to more TDM measures. Specific compliance criteria and stages of compliance are described in more detail in the TDM plan included in the TIA report.

If the Applicant fails to set up a coordinated TMA, provide a letter of support, and/or provide ongoing annual reports for the overall site, each individual site shall be required to meet a 26% vehicle trip reduction percentage and meet the requirements of the TDM plan, unless an addendum to the TDM plan is submitted and approved by ATD. If the site cannot meet the requirements of the TDM plan, a new TIA or a revision to the TIA may be required.

Internal Roadway Connections and Construction Requirements:

1) The East Riverside Corridor (ERC) Regulating Plan, identifies the following Level 2 roadways for construction, including:
   a) Extension of Lakeshore Boulevard from Pleasant Valley Road to Proposed Wickersham Lane;
   b) Extension of Wickersham Lane from Elmont Drive to Proposed Lakeshore Boulevard;
   c) Roadway connection across Country Club Creek. See Attachment B.
2) The ERC identifies connecting local streets to be constructed based on block length criteria. The proposed blocks can be seen in Attachment B.

Transit:

Transit is an important and critical component for the proposed development to fully leverage TDM measures and to provide alternate mode options to road users. Additionally, the East Riverside Corridor Plan and Imagine Austin Comprehensive Plan rely on transit to facilitate growth and establish 'Town Centers' and activity corridors for people to live and work. Project Connect, CapMetro's long range future planning effort, aims to increase transit service and ridership in the area. Also, the ASMP identifies the need for higher frequency transit and better amenities at transit stops to increase transit ridership.

CapMetro has identified several needs in the area to achieve both the City of Austin's and CapMetro's goals and have identified the proposed Bus Rapid Transit (BRT) line along Pleasant Valley as a critical improvement. To help facilitate transit, TDM plans, and alternative modes in the area, a contribution of $1,606,000.00 fee in-lieu is recommended towards the Project Connect improvements along the Pleasant Valley BRT Light transit line.

Additionally, CapMetro staff identified several other needed transit improvements in the area. A pro-rata share of these improvements was determined and $150,600.00 of improvements have been identified to be constructed by the Applicant. The identified improvements can be seen in Attachment C and Attachment D.

Improvements to Active Modes (Pedestrian and Bicycle Infrastructure):

Improvements to active modes infrastructure is required to fully leverage the TDM plan and to provide alternate mode options to all road users. Additionally, there are several trails and parks located around the project. The ASMP aims to identify and eliminate significant infrastructure gaps in the bicycle system. Therefore, the analysis identified many active modes infrastructure needs. The following were identified as needs in the area based on City identified plans and studies:

1. All-Ages Bike Facilities:
   a. East Riverside Corridor

   b. Tinnin Ford Road
   c. Elmont Drive
   d. Lakeshore Boulevard Extension
   e. Wickersham Lane Extension
2. Longhorn Pedestrian and Bike Bridge
3. Shared use path connections on along Pleasant Valley Rd.
4. Country Club Trail improvements; to include both pedestrian and bike trails connection through the site.
5. Pedestrian connectivity as required by the ERC.
6. Grade separated pedestrian access across Pleasant Valley Rd at Lakeshore Blvd.

Staff Recommendations:

1. The Applicant shall design and construct and fund 100% of the off-site improvements identified in Attachment C as part of their site development applications, as identified for each tract. Off-site improvements should be included within the first site plan for each identified tract. No temporary certificate of occupancy (TCO) shall be issued until the construction of the identified improvements is complete. Note: Cost estimates **should not** be assumed to represent the maximum dollar value of improvements the applicant may be required to construct.
2. Fee in-lieu contribution to the City of Austin is recommended to be made for the improvements identified in Attachment D totaling $4,006,000.00, before third reading at City Council.
3. The Applicant is required to achieve a vehicle trip reduction per phase as described in Table 5. The Applicant commits to implement the Transportation Demand Management (TDM) plan submitted with the TIA. Site plan applications submitted under this zoning should provide a letter demonstrating compliance with the TDM plan. Annual monitoring reports should also be submitted for the site to ensure compliance. If reduction targets are not met, site plan permits under all three zoning cases may be held based on the criteria described in the TDM plan.
4. The Applicant shall construct all on-site, public roadways to meet requirements of the ERC and required cross sections based on the results of the TIA.
5. The Applicant shall construct the Country Club Trail through the site to the cross section identified in the TIA.
6. Development of this property should not vary from the approved uses or deviate from the approved intensities and estimated traffic generation assumptions within the finalized TIA document, including land uses, trip generation, trip distribution, traffic controls, driveway locations, and other identified conditions. Any change in the assumptions made to the TIA document shall be reviewed by ATD and may require a new or updated TIA/addendum.
7. The Applicant shall provide two copies of the final, updated version of the TIA before 3rd reading, matching Council's approved intensity recommendation.
8. The findings and recommendations of this TIA memorandum remain valid until five (5) years from the date of this memo, after which a revised TIA or addendum may be required.

If you have any questions or require additional information, please contact me at 512-974-1449.

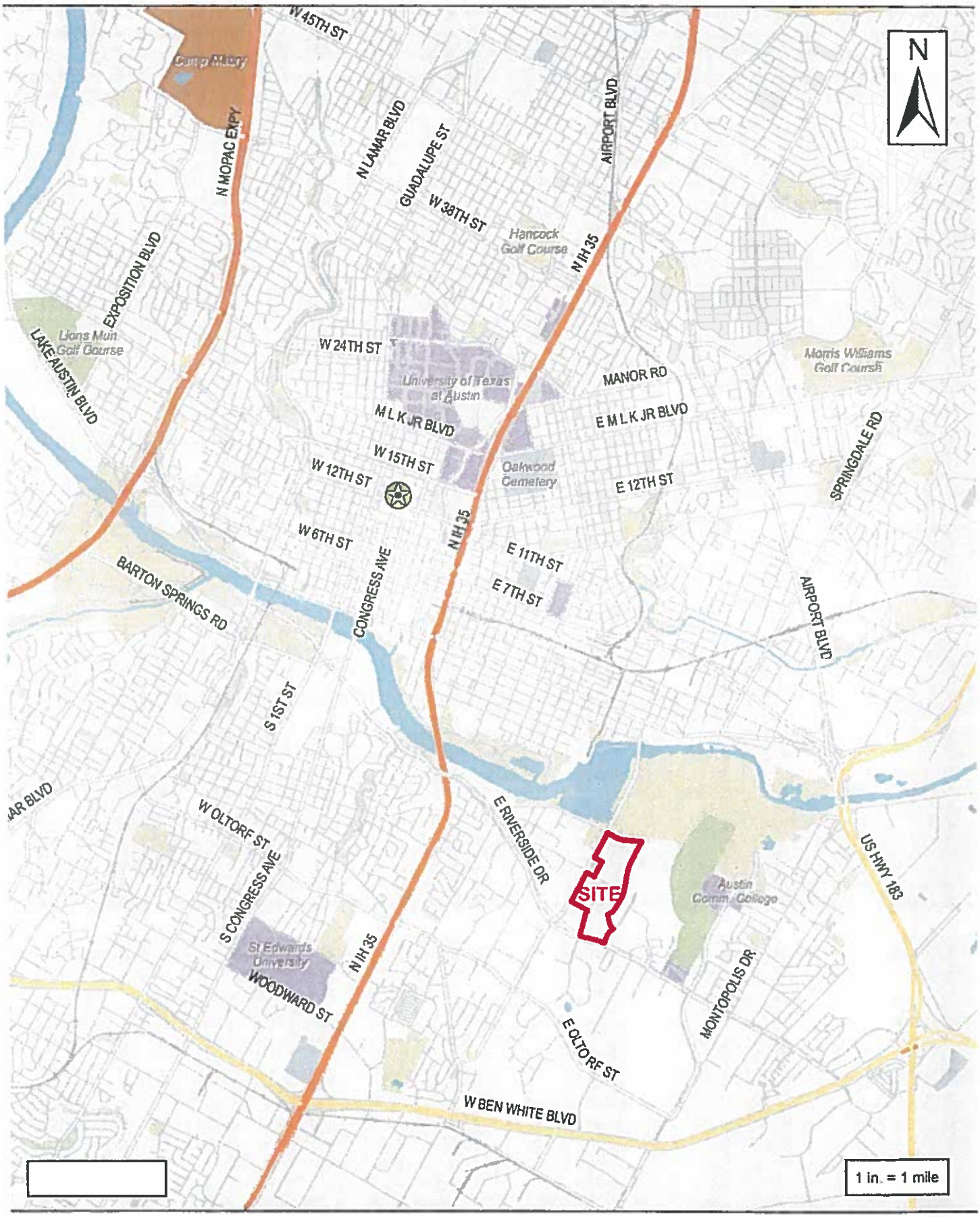
Austin Jones, P.E.
Austin Transportation Department

List of Attachments

A. Site Location Map
B. Tract Map and Internal Roadway Map
C. On and Off-site Improvements to be Constructed by the Applicant
D. Fee In-Lieu to be paid to COA by the Applicant for Improvements

Attachment A

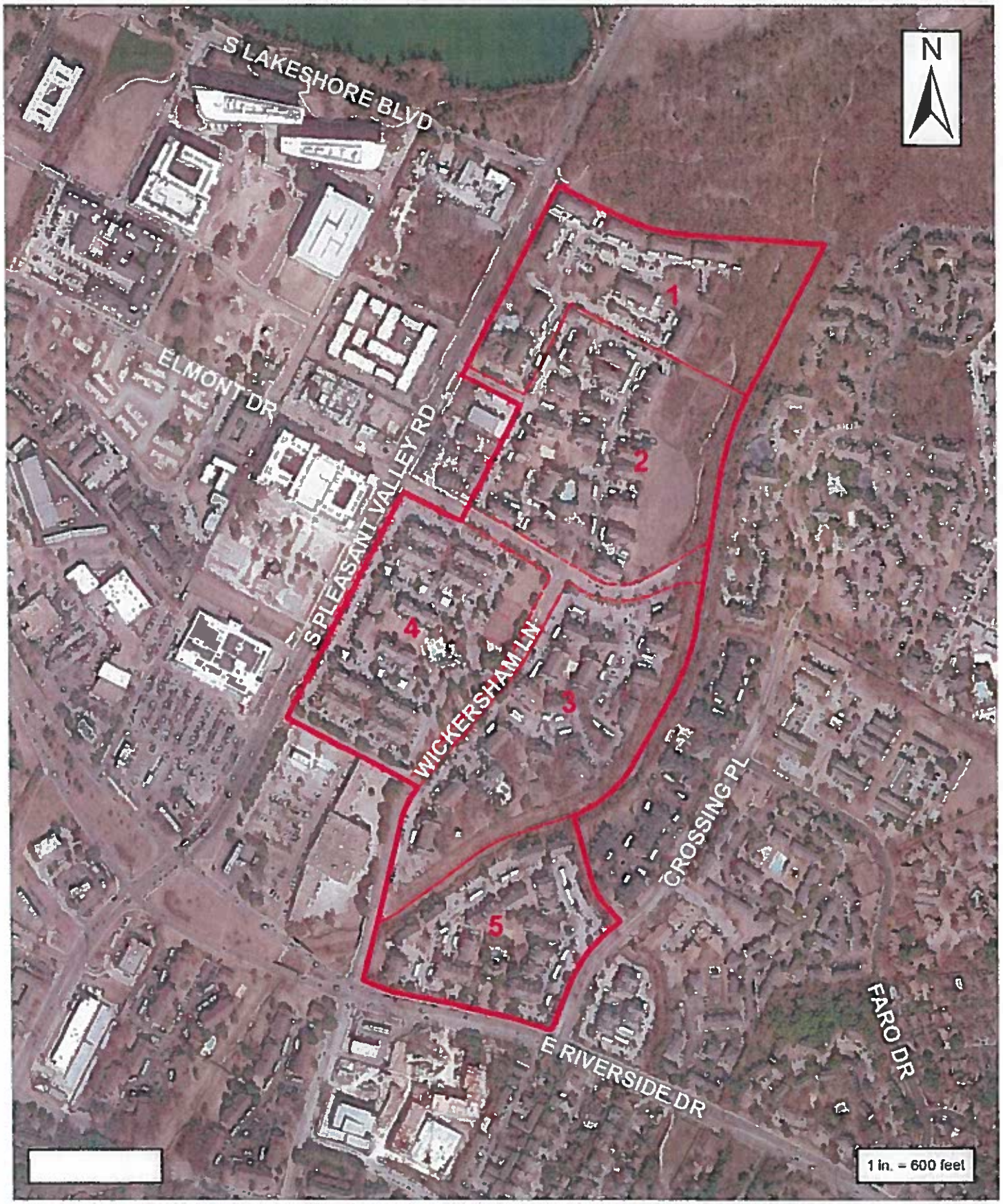
SITE LOCATION MAP



RIVERSIDE DR & PLEASANT VALLEY RD
AUSTIN, TEXAS

Attachment A

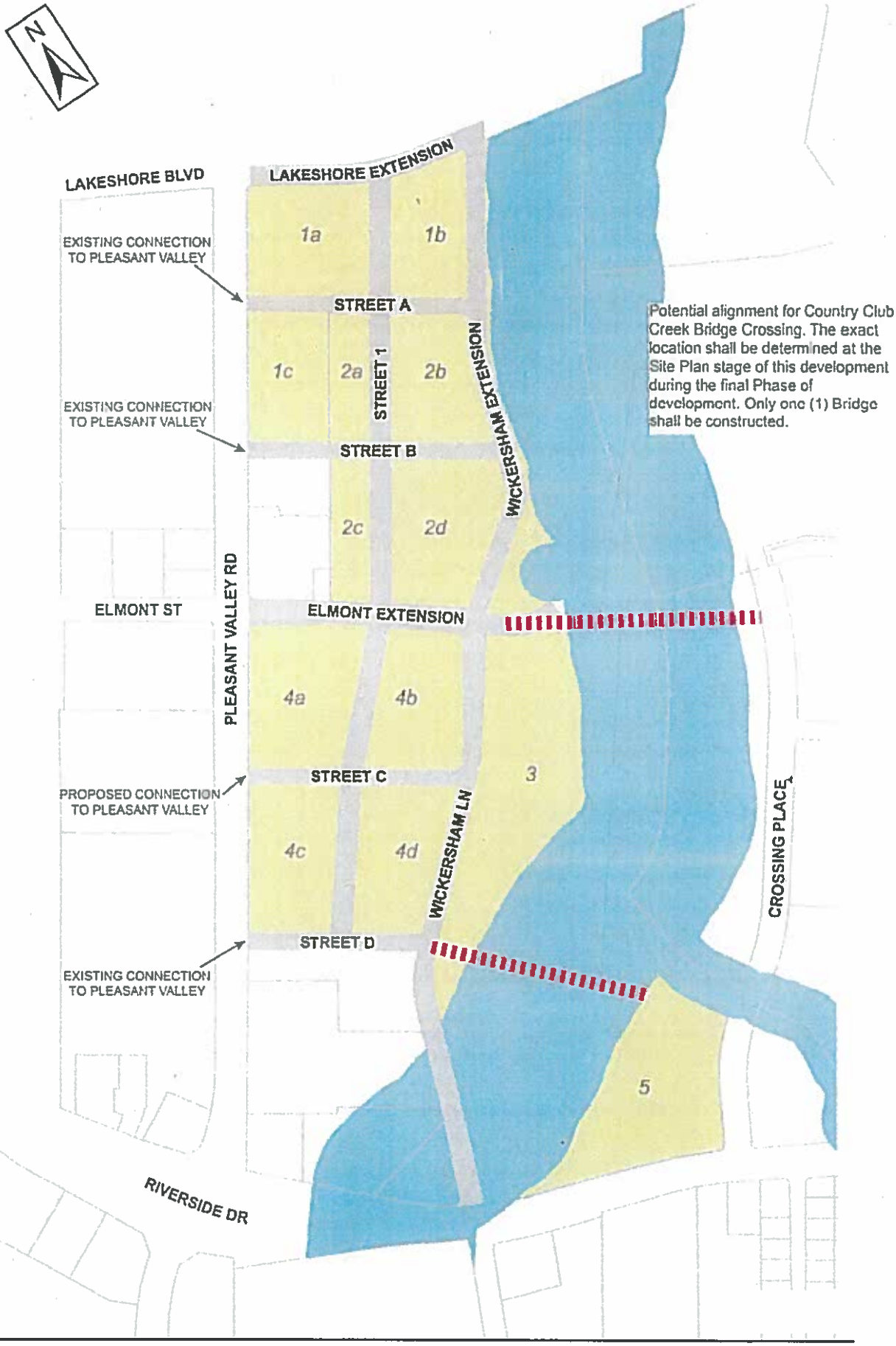
AERIAL EXHIBIT



This exhibit is for graphical representation only and is based on the best information available and is subject to change without notice. Aerial imagery from Google Earth.

E. RIVERSIDE DR & S. PLEASANT VALLEY RD
AUSTIN, TEXAS

Attachment B INTERNAL ROADWAY EXHIBIT



E. RIVERSIDE DR & S. PLEASANT VALLEY RD
AUSTIN, TEXAS

Attachment C

On-Site Improvements to be Constructed by the Applicant

Type	Improvement	Construction Cost
Roadway	Lakeshore Extension (include all-ages bike facilities)	$ 1,049,225.00
Roadway	Wickersham Extension (include all-ages bike facilities)	$ 1,897,315.00
Roadway	Elmont Bridge Crossing	$ 2,808,000.00
Roadway	Internal Streets	$ 6,778,652.00
Active	Elmont all-ages bike facilities	$ 16,154.00
Active	Country Club Trail	$ 1,473,800.00
	Total	$ 14,023,146.00

Off-Site Improvements to be Constructed by the Applicant

Type	Location	Improvement	Phase Identified in the TIA	Tract/Block Identified for Construction	Cost	Total Cost
Roadway	East Riverside Drive and Wickersham Lane	NB Pavement Marking Modifications	1	5	$ 18,750.00	
Roadway	East Riverside Drive and Wickersham Lane	Southbound Right-Turn Deceleration Lane	1	5	$ 312,500.00	
Roadway	East Riverside Drive and Wickersham Lane	Eastbound Right-Turn Deceleration Lane	1	5	$ 187,500.00	
Roadway	East Riverside Drive and Wickersham Lane	Traffic Signal Modifications	1	5	$ 187,500.00	
Roadway	East Riverside Drive and Wickersham Lane	Southbound Left Turn Lane (replace median)	1	5	$ 31,250.00	
Roadway	East Riverside Drive and Tinnin Ford Road/Burton Drive	Southbound Right-Turn Deceleration Lane (creates dual right operation)	1	4c	$ 187,500.00	
Roadway	East Riverside Drive and Tinnin Ford Road/Burton Drive	Traffic Signal Infrastructure Modifications	1	4c	$ 62,500.00	
Roadway	East Riverside Drive and Tinnin Ford Road/Burton Drive	Westbound Right-Turn Deceleration Lane	3	4c	$ 187,500.00	
Roadway	East Riverside Drive and Tinnin Ford Road/Burton Drive	Eastbound Left-Turn Lane Extension	4	4c	$ 93,750.00	
Roadway	East Riverside Drive and Shore District Drive/Parker Lane	Eastbound Left-Turn Lane Extension	2	4b	$ 93,750.00	
Roadway	East Riverside Drive and Shore District Drive/Parker Lane	Eastbound Right-Turn Deceleration Lane	1	4b	$ 187,500.00	
Roadway	East Riverside Drive and Lakeshore Boulevard	Southbound Parking Curb/Pedestrian/Signal Infrastructure Modifications	1	2d	$ 187,500.00	
Roadway	East Riverside Drive and Lakeshore Boulevard	Eastbound Left-Turn Lane (dual left operations)	1	2d	$ 62,500.00	
Roadway	East Riverside Drive and Lakeshore Boulevard	Northbound Receiving Lane	1	2d	$ 187,500.00	
Roadway	East Riverside Drive and Lakeshore Boulevard	Traffic Signal Infrastructure Modifications	1	2d	$ 187,500.00	$ 5,518,750.00
Roadway	South Pleasant Valley Road and Elmont Drive	Traffic Signal Infrastructure Modifications	1	4a	$ 62,500.00	
Roadway	South Pleasant Valley Road and Elmont Drive	Eastbound Through/Right Turn Lane and Median Adjustment	1	4a	$ 312,500.00	
Roadway	South Pleasant Valley Road and Elmont Drive	Eastbound Receiving Lane	1	4a	$ 375,000.00	
Roadway	South Pleasant Valley Road and Elmont Drive	Westbound Right Turn Lane and Median Adjustment	1	4a	$ 312,500.00	
Roadway	South Pleasant Valley Road and Lakeshore Boulevard	Traffic Signal Infrastructure Modifications	1	2c	$ 62,500.00	
Roadway	South Pleasant Valley Road and Lakeshore Boulevard	Southbound addition of left turn lane and required roadway adjustments	1	2c	$ 375,000.00	
Roadway	South Pleasant Valley Road and Krieg Fields Driveway	Southbound Left-Turn Lane	4	4d	$ 312,500.00	
Roadway	South Pleasant Valley Road and Krieg Fields Driveway	Traffic Signal Infrastructure Modifications	4	4d	$ 93,750.00	
Roadway	South Pleasant Valley Road and Cesar Chavez Street	Northbound Left-Turn Deceleration Lane	1	3	$ 312,500.00	
Roadway	South Pleasant Valley Road and Cesar Chavez Street	Northbound Right-Turn Deceleration Lane Extension	1	3	$ 187,500.00	
Roadway	South Pleasant Valley Road and Cesar Chavez Street	Eastbound Right-Turn Deceleration Lane	1	3	$ 187,500.00	
Roadway	South Pleasant Valley Road and Cesar Chavez Street	Southbound Right-Turn Deceleration Lane	3	3	$ 187,500.00	
Roadway	South Pleasant Valley Road and Cesar Chavez Street	Westbound Right-Turn Deceleration Lane	3	3	$ 187,500.00	
Roadway	South Pleasant Valley Road and Cesar Chavez Street	Traffic Signal Modifications	1	3	$ 375,000.00	
Transit	South Pleasant Valley Road and Elmont Drive	Construct NB stop on PV at Elmont - far-side (use existing amenities)	1	4a	$ 15,800.00	
Transit	South Pleasant Valley Road and Elmont Drive	Construct SB stop on PV at Elmont - far-side (use existing amenities)	1	4a	$ 15,800.00	
Transit	South Pleasant Valley Road and Lakeshore Boulevard	Install shelter at existing SB bus stop on Pleasant Valley	1	2c	$ 8,000.00	
Transit	South Pleasant Valley Road and Krieg Fields Driveway	Construct NB stop on PV at Krieg Field - far-side	1	4d	$ 27,800.00	$ 150,600.00
Transit	South Pleasant Valley Road and Krieg Fields Driveway	Construct SB stop on PV at Krieg Field - far-side	1	4d	$ 27,800.00	
Transit	South Pleasant Valley Road and Cesar Chavez Street	Construct EB stop on Chavez at PV - far-side (use existing amenities)	1	3	$ 23,800.00	
Transit	South Pleasant Valley Road and Cesar Chavez Street	Construct SB stop on PV at Chavez - far-side (use existing amenities)	1	3	$ 15,800.00	
Transit	South Pleasant Valley Road and Cesar Chavez Street	Construct NB stop on PV at Chavez - far-side (use existing amenities)	1	3	$ 15,800.00	
Active	South Pleasant Valley Road and Lakeshore Boulevard	Construct missing bike trail gap on the NW corner to Butler trail	1	1a	$ 20,000.00	$ 20,000.00
					Construction Total	$ 5,689,350.00

Attachment D

Mitigation - Fee In-lieu to be paid to COA by the Applicant for Improvements

Type	Improvement	Cost	Total Cost
Active	Fee In-lieu for construction of Longhorn Pedestrian and Bike Bridge	$ 2,400,000.00	$ 2,400,000.00
Transit	Fee In-lieu for Project Connect BRT Light Rapid Transit	$ 1,606,000.00	$ 1,606,000.00
		Fee In-lieu Total	$ 4,006,000.00

C14-72-204

JUL 24 75 RCCH R 7011 13.50

EXHIBIT 13 M

THE STATE OF TEXAS)
COUNTY OF TRAVIS)

1-16-3158

WHEREAS, Dickson Properties and Roberta Dickson, as owners of approximately 497 acres in the City of Austin, Travis County, Texas, according to field notes prepared by S. A. Garza, Registered Professional Engineer, on August 1, 1972, a copy of which is attached marked Exhibit "A", by agreement with the City of Austin impressed upon said 497 acres certain covenants and restrictions dated January 3, 1973, wherein the development of said 497 was restricted.

WHEREAS, said covenants and restrictions require that any modification, amended or termination of said agreement be by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and, (b) by the owners of the above described property at the time of such modification, amendment, or termination.

WHEREAS, the owners have presented to the City of Austin a revised conceptual plan for the development of the 497 acres dated October 3, 1973, a copy of which is attached hereto and marked Exhibit "C".

WHEREAS, the Capitol National Bank as Trustee and Roberta Dickson, Dickson Properties, Inc., and Mark Eight Associates, a Texas Limited Partnership as beneficiaries were the owners of said 497 acres as of the date of said revised conceptual plan and are presently owners of approximately 402 of said 497 acres and Austin Country Club Estates, a Texas Limited Partnership has purchased 94.984 acres of said 497 acres, said 94.984 are described in the field notes prepared by Jeryl D. Hart, Registered Professional Engineer, on November 2, 1973, a copy of which is attached marked Exhibit "B", and is presently owner of said 94.984 acres as described, and these owners hereinafter shall be referred to as Owners.

DEED RECORDS
Travis County, Texas

1-16-3159

WHEREAS, the City of Austin and the Owners have agreed that the covenants and restrictions dated January 3, 1973 should be terminated and that the above described property should be impressed with certain other covenants and restrictions running with the land and desire to set forth such agreement and such covenants and restrictions in writing.

NOW THEREFORE, the Owners for and in consideration of One and No/100 Dollars ($1.00) and other good and valuable consideration in hand to the undersigned paid by the City of Austin, the receipt of which is hereby acknowledged, does hereby agree with respect to said property described above, such agreement to be deemed and considered as a covenant running with the land and which shall be binding on them, their successors and assigns, as follows, to wit:

1. The total number of dwelling units for the described 497 acres shall not exceed a total of 4,658.

2. The conceptual plan dated October 3, 1973 which shows the property divided into designated areas referred to as Tracts and numbered as Tracts 1 through 25, a copy of which is attached hereto and marked as Exhibit "C", is the official plan approved by the City of Austin and supercedes and replaces any and all previously adopted plans.

3. Those Tracts 1 through 25 which relate to residential uses on said official plan shall be restricted to the approximate densities and number of dwelling units shown thereon, the total of which shall not exceed 4,658 and subject to the following conditions:

Residential Tract Number	Acres	Density	Dwelling Units
1	12	8 DU/ac	96
2	20.5	5 DU/ac	103
3	12.4	8 DU/ac	99

1-16-3160

4	6.6	12 DU/ac	79
4a	8	20 DU/ac	160
5	22	20 DU/ac	440
10	28.87	20 DU/ac	577
11	9.52	20 DU/ac	190
12	41.44	22 DU/ac	912
13	21.82	22 DU/ac	480
16	4.2	20 DU/ac	50
18	30.2	20 DU/ac	604
21	45.18	10 DU/ac	452
22	20.56	10 DU/ac	200
23	18.52	10 DU/ac	179
24	3.67	10 DU/ac	37

4. The number of acres designated to each tract is approximate and adjustments to the total number of dwelling units for a specific Tract will be made based upon the true number of acres contained within a tract as shown on the preliminary plat and the total dwelling units for a specific tract will be shown on said preliminary plat and will be based upon the number of acres multiplied by the designated density provided for said tract as indicated above. The preliminary plat will indicate the density requirements as indicated above and all final subdivision plans must be in conformance with these density restrictions and must be so designated on the recorded plan(s). Although adjustments because of approximation as to acreage shall be allowed as set forth above the overall density limitation of 4,658 units shall not be exceeded unless otherwise agreed to by the City of Austin and the Owners.

1-16-3161

5. If any person, persons, corporations or entity of any other character shall violate or attempt to violate the foregoing agreement and covenant, it shall be lawful for the City of Austin, a municipal corporation, its successors and assigns, to presecute proceedings at law, or in equity, against said person, or entity violating or attempting to violate such agreement or covenant and to prevent said person or entity from violating or attempting to violate such agreement or covenant.

6. If any part or provision of this agreement or covenant herein contained shall be declared invalid, by judgment or court order, the same shall in no wise affect any of the other provisions of this agreement, and such remaining portion of this agreement shall remain in full force and effect.

7. The failure at any time to enforce this agreement by the City of Austin, its successors and assigns, whether any violations hereof are known or not, shall not constitute a waiver or estoppel of the right to do so.

8. This agreement may be modified, amended or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin, or such other governing body as may succeed the City Council of the City of Austin, and, (b) by the owners of the above described property at the time of such modification, amendment, or termination.

9. The purpose of this Covenant is to limit the development of the areas as to density and shall in no way be construed as a dedication of any street or area for specific use.

1-16-3162

EXECUTED this 31st day of January, A. D. 1975.

CAPITOL NATIONAL BANK IN AUSTIN
AS TRUSTEE

(NO SEAL)

By: Richard W. Chote
Richard W. Chote
Trust Administration Officer

Roberta Dickson
ROBERTA DICKSON

DICKSON PROPERTIES, INC.

(NO SEAL)

By: Roberta Dickson - Pres.

MARK EIGHT ASSOCIATES, A TEXAS
LIMITED PARTNERSHIP

By: MARK EIGHT CORPORATION
A GENERAL PARTNER

By: JOHN A. SBAROUNIS, PRESIDENT

(NO SEAL)

John A. Sbarounis
James Fox Sweeney

AUSTIN COUNTRY CLUB ESTATES, A
TEXAS LIMITED PARTNERSHIP

By: MARK EIGHT ASSOCIATES, GENERAL
PARTNER OF AUSTIN COUNTRY CLUB
ESTATES

By: MARK EIGHT CORPORATION, GENERAL
PARTNER OF MARK EIGHT ASSOCIATES

(NO SEAL)

By: John A. Sbarounis
President

James Fox Sweeney

5234 2083

1-16-3163

THE STATE OF TEXAS)

COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared of DICKSON PROPERTIES, INC. of Austin, Travis County, Texas, known to me to be the person and officer whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 21 day of Feb, 1975.

NOTARY SEAL

Lee Gilbert
NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS)

COUNTY OF TRAVIS)

BEFORE ME, the undersigned authority, on this day personally appeared ROBERTA P. DICKSON, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 21 day of Feb, 1975.

NOTARY SEAL

Lee Gilbert
NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

THE STATE OF ILLINOIS)

COUNTY OF WILL)

BEFORE ME, the undersigned authority, on this day personally appeared JOHN A. SBAROUNIS, President of Mark Eight Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 6th day of February, 1975.

NOTARY SEAL

Rosa Elena Muñoz
NOTARY PUBLIC, WILL COUNTY, ILLINOIS

MY COMMISSION EXPIRES APRIL 5, 1973

5234 2084

THE STATE OF TEXAS

1-16-3164

COUNTY OF TRAVIS

BEFORE ME, the undersigned authority, on this day personally appeared RICHARD W. CHOTE, Trust Officer, The Capital National Bank in Austin, Trustee, known to me to be the person and officer whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 25 day of February, 1975.

NOTARY SEAL

NOTARY PUBLIC, TRAVIS COUNTY, TEXAS

5234 2085

EXHIBIT "A"

1-16-3165

FIELD NOTES FOR THE ENTIRE DICKSON PROPERTY, SAID TRACT OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at the iron stake at the southwest corner of the herein described tract of land, same iron stake also being in the north right-of-way line of Riverside Drive, same iron stake also being in the east right-of-way line of Pleasant Valley Road;

THENCE with the east right-of-way line of Pleasant Valley Road the following two (2) courses:

(1) N 30° 24' E, passing an iron stake at 1417.25 feet, 2287.93 feet to an iron stake;

(2) N 30° 13' E, passing an iron stake at 1583.20 feet, 1788.12 feet to an iron stake;

THENCE N 75° 55' E, 34.39 feet to an iron stake;

THENCE N 71° 55' E, 397.91 feet to an iron stake;

THENCE N 71° 29' E, 324.96 feet to an iron stake;

THENCE N 71° 56' E, 220.33 feet to an iron stake;

THENCE N 67° 47' E, 471.48 feet to an iron stake;

THENCE S 84° 30' E, 418.95 feet to an iron stake;

THENCE N 30° 11' E, 1975.20 feet to an iron stake;

THENCE N 24° 58' E, 214.15 feet to an iron stake in the south bank of the Colorado River for the northwest corner of the herein described tract of land;

THENCE with the south bank of the Colorado River the following twelve (12) courses:

(1) N 88° 53' E, 334.30 feet to an iron stake;

(2) S 88° 58' E, 369.60 feet to an iron stake;

(3) S 82° 06' E, 471.10 feet to an iron stake;

(4) S 77° 18' E, 316.76 feet to an iron stake;

(5) S 88° 32' E, 167.35 feet to an iron stake;

(6) S 81° 24' E, 292.00 feet to an iron stake;

PROPERTY DISCLAIMER
ALL OR PARTS OF THE TEXT ON THIS PAGE
WAS NOT CLEARLY LEGIBLE FOR SATISFACTORY RECORDATION

FIELD NOTES

DICKSON PROPERTY

1-16-3166

(7) S 56° 42' E, 98.77 feet to an iron stake;

(8) S 30° 15' E, 110.70 feet to an iron stake;

(9) S 07° 28' E, 197.90 feet to an iron stake;

(10) S 09° 44' E, 280.12 feet to an iron stake;

(11) S 18° 10' E, 210.57 feet to an iron stake;

(12) S 30° 31' E, 185.86 feet to an iron stake at the northeast corner of the herein described tract of land;

THENCE S 29° 33' W, 466.24 feet to an iron stake;

THENCE S 29° 47' W, 1104.50 feet to an iron stake;

THENCE N 69° 13' W, 1219.86 feet to an iron stake;

THENCE S 36° 10' W, 1305.03 feet to an iron stake;

THENCE S 41° 14' W, 448.81 feet to an iron stake;

THENCE S 21° 43' W, 645.80 feet to an iron stake;

THENCE S 02° 21' E, 281.82 feet to an iron stake;

THENCE S 02° 16' E, 889.86 feet to an iron stake;

THENCE S 02° 17' E, 698.12 feet to an iron stake;

THENCE S 02° 20' E, 790.45 feet to an iron stake;

THENCE S 29° 53' W, 480.73 feet to a concrete monument;

THENCE S 30° 06' W, 563.19 feet to a concrete monument in the north right-of-way line of Riverside Drive for the southeast corner of the herein described tract of land;

THENCE with the north right-of-way line of Riverside Drive the following eleven (11) courses:

(1) N 57° 47' W, 626.34 feet to an iron stake;

(2) N 58° 26' W, 194.97 feet to an iron stake;

(3) N 60° 43' W, 299.92 feet to an iron stake;

ORIGINAL DOM

FIELD NOTES

DICKSON PROPERTY

1-16-3167

(4) N 62° 59' W, 484.18 feet to an iron stake;

(5) N 64° 18' W, 703.33 feet to an iron stake at a point of curvature;

(6) With a curve to the left whose chord bears N 65° 17' W, 43.53 feet and whose arc measures 43.53 feet to an iron stake;

(7) Continuing that same curve to the left an additional arc length of 247.45 feet and an additional chord which bears N 70° 23' W, 247.16 feet to an iron stake at a point of tangency;

(8) N 75° 17' W, 342.35 feet to an iron stake at a point of curvature;

(9) With a curve to the right whose chord bears N 67° 06' W, 396.50 feet and whose arc measures 397.85 feet to an iron stake at a point of tangency;

(10) N 58° 55' W, 518.44 feet to an iron stake at a point of curvature;

(11) With a curve to the right whose chord bears N 54° 39' W, 136.00 feet and whose arc measures 136.11 feet to the original point of beginning containing 496.80 acres of land.

Field Notes prepared in the offices of S. A. Garza Engineers, Inc., 503 Scarbrough Building, Austin, Texas, August 1, 1972.

STATE OF TEXAS
S.A. GARZA
14643
REGISTERED
PROFESSIONAL ENGINEER

S. A. Garza
Registered Professional Engineer

ORIGINAL DIM '

5234 2088

BRYANT-CURINGTON INC. consulting engineers
3423 guadalupe street • austin, texas 78705 • 454-9371

1-16-3168

FIELD NOTES AROUND THE
OUTBOUNDARY OF THE CROSSING PHASE 1

FIELD NOTES OF A 94.984 ACRE TRACT OUT OF THE SANTIAGO DEL VALLE GRANT, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; SAID 94.984 ACRE TRACT BEING ALL OR A PORTION OF THE FOLLOWING: A 56.99 ACRE TRACT OF WHICH ONE-HALF INTEREST WAS CONVEYED TO THE CAPITAL NATIONAL BANK, TRUSTEE IN VOLUME 4588, PAGE 1640 OF THE TRAVIS COUNTY, TEXAS DEED RECORDS; THE REMAINING ONE-HALF INTEREST OF THE 56.99 ACRE TRACT AND A 1/2 INTEREST IN AN ADDITIONAL 439.77 ACRES (496.76 ACRES IN TOTAL) BEING CONVEYED TO CAPITAL NATIONAL BANK, TRUSTEE BY DEED RECORDED IN VOLUME 4588, PAGE 1629; THE REMAINING ONE-HALF INTEREST IN THE 439.77 ACRE TRACT BEING CONVEYED TO CAPITAL NATIONAL BANK, TRUSTEE, BY DEED RECORDED IN VOLUME 4588, PAGE 1679 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS; SAID 94.984 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron stake found at the most westerly corner of Lot 1, Penick Place, a subdivision in Travis County, Texas as recorded in Book 5, Page 147 of the Plat Records of Travis County, Texas; said point being on the northerly right-of-way line of Riverside Drive;

THENCE along the northerly right-of-way line of Riverside Drive the following five (5) courses:

1. N 57°-36' W., 627.22 feet to an iron stake found;
2. N 58°-03' W., 195.01 feet to an iron stake found;
3. N 60°-25' W., 299.64 feet to an iron stake found;
4. N 62°-39' W., 484.22 feet to an iron stake found;
5. N 63°-57' W., 702.96 feet to an iron stake found;

THENCE through the interior of the said 496.76 acre tract the following twelve (12) courses:

1. N 26°-00' E., 39.29 feet to an iron stake set;
2. S 64°-00' E., 37.96 feet to an iron stake set;
3. An arc distance of 23.56 feet along a curve to the left whose elements are: I=90°-00', Rad.=15.00', Tan.=15.00' and whose longchord bears N 71°-00' E., 21.21 feet to the P.T. of said curve;

1-16-3169

4. N 26°-00' E., 205.00 feet to an iron stake set;
5. An arc distance of 314.49 feet along a curve to the right, whose elements are: I=26°-00', Rad.=693.04', Tan.=160.00' and whose longchord bears N 39°-00' E., 311.80 feet to the P.T. of said curve;
6. N 52°-00' E., 120.00 feet to an iron stake set;
7. An arc distance of 277.29 feet along a curve to the left, whose elements are: I=19°-30', Rad.=814.75', Tan.=140.00 feet and whose longchord bears N 42°-15' E., 275.96 feet to the P.T. of said curve;
8. N 32°-30' E., 635.00 feet to an iron stake set;
9. An arc distance of 476.15 feet along a curve to the left, whose elements are: I=17°-45', Rad.=1537.00', Tan.=240.00' and whose longchord bears N 23°-38' E., 474.25 feet to the P.T. of said curve;
10. N 14°-45' E., 40.00 feet to an iron stake set;
11. S 75°-15' E., 212.90 feet to an iron stake set;
12. S 57°-30' E., 1326.81 feet to an iron stake set on the east boundary of the said 496.76 acre tract; said point also being the most northeasterly corner of the said 56.69 acre portion of the 496.76 acre tract;

THENCE along the common boundary between the said 496.76 acre tract and a tract conveyed to Country Club of Austin as recorded in Volume 838, Page 189 of the Deed Records of Travis County, Texas the following three (3) courses:

1. S 01°-55' E., 400.00 feet to an iron stake found;
2. S 01°-57' E., 790.15 feet to an iron stake found;
3. S 30°-16' W., 480.66 feet to an iron stake found at a common corner with the said Penick Place subdivision;

THENCE S 30°-23' W., 563.13 feet along the common boundary between the said 496.76 acre tract and the said Penick Place Subdivision to the POINT OF BEGINNING, containing 94.984 acres as surveyed and computed by Bryant-Curington, Inc., in October, 1973,

I HEREBY CERTIFY that these notes were prepared from an actual survey made on the ground under my supervision according to law and are true and correct to the best of my knowledge.

WITNESS MY HAND AND SEAL this the 2nd day of November, 1973, A.D.

BRYANT-CURINGTON, INC.

Jeryl D. Hart

JERYL D. HART
1952

Jeryl D. Hart, P.E.
Registered Professional Engineer

JDH:JWH/dd
Job No. 73-62-F

EXHIBIT "B" Page 2

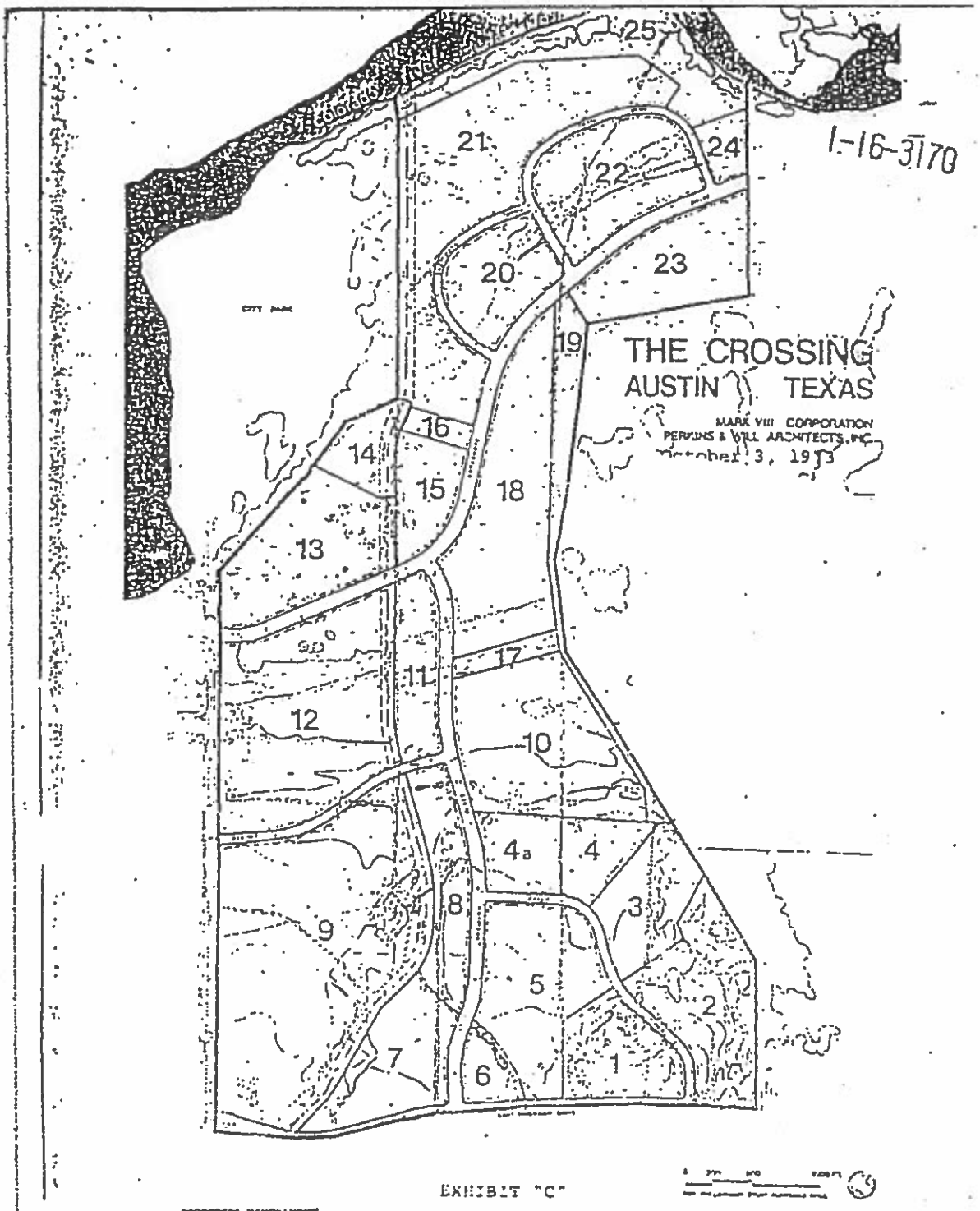


EXHIBIT "C"

5234 2091

1-16-3171

JUL 24 8 38 AM '75

COUNTY CLERK
TRAVIS COUNTY, TEXAS

Recd, charge & return to:
LAW DEPARTMENT
CITY OF AUSTIN
P. O. BOX 1088
AUSTIN, TEXAS 78767

STATE OF TEXAS COUNTY OF TRAVIS

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, as Stamped hereon by me, on

JUL 24 1975

COUNTY CLERK
TRAVIS COUNTY, TEXAS

5234 2092

FILM CODE 00005591951

DECLARATION OF RESTRICTIVE COVENANT

STATE OF TEXAS §
§ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF TRAVIS §

THIS DECLARATION OF RESTRICTIVE COVENANT (this "Declaration") is made on the 3rd day of June, 1997, by SK PROPERTIES, L.P., a Kansas limited partnership ("Declarant").

WITNESSETH:

A. Declarant is the fee simple owner of that certain approximately 19.128 acre tract of real property situated in the City of Austin, Travis County, Texas, more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "Property"). Declarant currently intends to construct a multi-family project on the Property (the "Project").

B. Declarant desires for the restrictive covenant described herein to be established with respect to the Property.

NOW, THEREFORE, and in accordance with the doctrines of restrictive covenants and implied equitable servitude, Declarant, intending to bind itself, its assigns and successors, and all other persons hereafter having interest in the Property, does hereby declare, impose and subject the Property as follows:

1. Fence Restriction. Declarant hereby agrees to construct and maintain a fence around the Project which is at least six (6) feet in height and is constructed of decorative metal and/or masonry columns or provides substantially equivalent security and aesthetics. In no event shall a chain link fence comply with the foregoing requirement.

2. Parking Restriction. Declarant hereby agrees that it will provide at least one (1) parking space on the Property for each bedroom contained within the Project.

3. Binding Effect; Third Parties. It is intended that the provisions of this Declaration shall run with the land. No rights, privileges or immunities, however, shall inure to the benefit of any adjoining property owner or other third party as a result of this Declaration, nor shall any adjoining property owner or other third party be deemed to be a beneficiary of any of the provisions contained herein.

4. Modification. This Declaration may be modified, amended, or terminated only by joint action of both (a) a majority of the members of the City Council of the City of Austin and (b) by the owner(s) of at least seventy-five percent (75%) of the gross land area of the Property at the time of such modification, amendment or termination.

5. Enforcement of Declaration.

(a) If any person or entity shall violate or attempt to violate this Declaration, it shall be lawful for the City of Austin to prosecute proceedings at law or in equity against such person or entity violating or attempting to violate this Declaration to prevent the person or entity from such actions, and to collect damages for such actions.

(b) If any part of this Declaration is declared invalid, by judgment or court order, the same shall in no way affect any of the other provisions of this Declaration, and such remaining portion of this Declaration shall remain in full effect.

(c) If at any time the City of Austin fails to enforce this Declaration, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.

IN WITNESS WHEREOF, Declarant has caused this Declaration of Restrictive Covenant to be executed as of the date and year first above written.

DECLARANT:

SK PROPERTIES, L.P.

By: Ross G. Tidemann
its general partner

By: Ross G. Tidemann
Name:
Title: General Partner

STATE OF Kansas §
§
COUNTY OF Sedgwick

This instrument was acknowledged before me on this the 3rd day of June, 1997 by Ross G. Tidemann, as General Partner of SK Properties, L.P., the general partner of SK Properties, L.P., on behalf of said limited partnership.

B. JOANNE PUCKETT
Notary Public - State of Kansas
My Appt. Expires 7-28-98

B. Joanne Puckett
Notary Public, State of Kansas

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12960 0329

EXHIBIT A

Property

Lots 5, 6, 7, 8 and 9, Block A, PARKE GREEN, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 85, Page 161A, Plat Records of Travis County, Texas.

Ret:

City of Austin
Development Review &
Inspection Department
P.O. Box 1088
Austin, TX 78767

FILED

97 JUN 20 PM 2:35

DANA DEBEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me; and was duly RECORDED, in the Volume and Page of the named RECORDS of Travis County, Texas, on

JUN 20 1997

COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECEIPT#: 9700077016 TRANS#: 00332 DEPT: REGULAR RECORD $13.00
CASHIER: MEFRI FILE DATE: 6/20/97 TRANS DATE: 6/20/97
PAID BY: CHECK# 8460

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

12960 0330

ELECTRONICALLY RECORDED 2015099344
TRV 6 PGS

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

This instrument prepared by:
Mark Hockley, Esq.
Locke Lord LLP
111 S. Wacker Drive, Suite 4100
Chicago, Illinois 60606

STATE OF TEXAS §
§
COUNTY OF TRAVIS §

AUSTIN STUDENT VENTURE II, L.P., a Delaware limited partnership ("Grantor"), for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable consideration paid in hand to Grantor by NRE ION, LLC, a Delaware limited liability company ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY unto Grantee all of Grantor's right, title and interest in and to that certain parcel of land located Travis County, Texas and legally described in Exhibit A attached hereto and incorporated herein by this reference, together with all buildings, improvements and fixtures located thereon and owned by Grantor as of the date hereof and all rights, privileges and appurtenances pertaining thereto including all of Grantor's right, title and interest in and to all rights-of-way, open or proposed streets, alleys, easements, strips or gores of land adjacent thereto (herein collectively called the "Real Property").

This conveyance is made by Grantor and accepted by Grantee subject to all covenants, conditions, restrictions, and other matters listed on Exhibit B attached hereto and incorporated herein by this reference (the "Permitted Exceptions").

TO HAVE AND TO HOLD the Real Property together with all improvements located thereon all and singular the rights and appurtenances thereto in anywise belonging, subject to the Permitted Exceptions, unto Grantee, its legal representatives, successors and assigns, and Grantor does hereby bind itself, its legal representatives, successors and assigns, to WARRANT and FOREVER DEFEND all and singular the Real Property unto the Grantee, its legal representatives, successors and assigns, against Grantor and every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject to the Permitted Exceptions.

If any term or provision of this Deed or the application thereof to any persons or circumstances shall, to any extent, be invalid or unenforceable, the remainder of this Deed or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each term and provision of this Deed shall be valid and enforced to the fullest extent permitted by law.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, this Deed has been executed by Grantor as of the 23 day of June, 2015.

AUSTIN STUDENT VENTURE II, L.P.,
a Delaware limited partnership

By: **Austin Student Venture II GP, LLC,** a Delaware limited liability company, its General Partner

By: **Austin Student Venture II Partners, LLC,** a Delaware limited liability company, its sole Member

By: **TriBridge Co-Invest 1, LLC,** a Georgia limited liability company, its sole manager

By: **JLC Southeast Investments, LLC,** a Georgia limited liability company, ~~its sole~~ manager

By: _____

Name: Jim Schroder

Title: Vice President

STATE OF Georgia §

§

COUNTY OF Fulton §

On June 12, 2015, before me, the undersigned, a notary public in and for said State, personally appeared Jim Schroder, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that, by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

_____, Notary Public

My Commission Expires:

11-23-2016

KATHY GIDDENS NOTARY EXP. 11/23/2016 PUBLIC COBB COUNTY, GEORGIA

AFTER RECORDING RETURN TO:

John Bruce
Heritage Title Company of Austin; Inc.
401 Congress, Suite 1500
Austin, Texas 78701

EXHIBIT A

DESCRIPTION OF THE PROPERTY

DESCRIPTION

OF A 19.120 ACRE TRACT SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING ALL OF LOTS 5, 6, 7, 8 AND 9, BLOCK "A" PARKS GREEN SUBDIVISION, A SUBDIVISION OF RECORD IN BOOK 85, PAGE 161B-161D OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; SAID 19.120 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a P.K. nail found in the easterly line of Pleasant Valley Road South (R.O.W. varies), being the common westerly corner of Lot 4 and Lot 5, Block "A" of said Parks Green Subdivision;

THENCE, N30°24'56"E, along the easterly line of Pleasant Valley Road South same being the westerly line of said Parks Green Subdivision, a distance of 1127.93 feet to a 1/2 inch iron rod found in the westerly line of Lot 8 for the point of curvature of a curve to the right;

THENCE, along said curve to the right, having a radius of 25.00 feet, a central angle of 90°29'27", an arc distance of 39.45 feet, and a chord which bears N75°23'12"E, a distance of 35.49 feet to a P.K. nail found in the southerly line of Elmont Drive (R.O.W. varies), same being the northerly line of said Lot 8;

THENCE, along the southerly line of Elmont Drive, same being the northerly lines of said Lot 8 and Lot 9, the following four (4) courses and distances:

1) S59°37'10"E, a distance of 173.01 feet to a P.K. nail found;

2) S62°33'17"E, a distance of 100.17 feet to a cut "X" set in concrete for the point of curvature of a curve to the right;

3) Along said curve to the right, having a radius of 2165.00 feet, a central angle of 04°29'51", an arc distance of 170.01 feet, and a chord which bears S57°25'38"E, a distance of 169.96 feet to a P.K. nail found for the point of tangency;

4) S55°08'46"E, a distance of 274.76 feet to a P.K. nail found for the point of curvature of a curve to the right;

THENCE, along said curve to the right, having a radius of 25.00 feet, a central angle of 85°34'11", an arc distance of 37.34 feet, and a chord which bears S12°18'13"E, a distance of 33.96 feet to a P.K. nail found in the westerly line of Wickersham Lane (R.O.W. varies), same being the easterly line of said Lot 9;

THENCE, along the westerly line of Nickerbhan Lane, same being the easterly lines of said Lot 8 and Lot 9 the following five (5) courses and distances:

1) S00°24'28"W, a distance of 145.00 feet to a P.K. nail found;

2) S27°44'22"W, a distance of 106.34 feet to a P.K. nail found;

3) S00°25'46"W, a distance of 100.00 feet to a 1/2 inch iron rod found for the point of curvature of a curve to the right;

4) Along said curve to the right, having a radius of 795.00 feet, a central angle of 13°25'22", an arc distance of 186.25 feet, and a chord which bears S37°07'06"W, a distance of 185.82 feet to a 1/2 inch iron rod found for the point of tangency;

5) S43°50'31"W, a distance of 505.04 feet to a cut "X" set being the common easterly corner of Lot 4 and Lot 5, Block "A" of said Parke Green Subdivision;

THENCE, N59°34'43"W, along the common line of said Lot 4 and Lot 5, a distance of 514.14 feet to the POINT OF BEGINNING, containing an area of 19.128 acres (833,210 sq. ft.), more or less, within these metes and bounds.

I, MARK J. OELTSCH, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A LAND TITLE SURVEY WAS PREPARED TO ACCOMPANY THIS FIELDNOTE DESCRIPTION.

11-GF# 2015002500 ALF
RETURN TO: HERITAGE TITLE
401 CONGRESS AVE., STE.1500
AUSTIN, TEXAS 78701

Austin Student Housing/Ion
Special Warranty Deed

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS
June 24 2015 10:13 AM
FEE: $ 46.00 2015099344

EXHIBIT N

Del Valle Independent School District
Construction and Planning Department
2404 Shapard Lane
Del Valle Texas 78617
(512) 386-3124
"Whatever it Takes"

MEMORANDUM

TO: Michael Whellan
FROM: Bill Myers
DATE: 3/15/2019
SUBJECT: Riverside Drive

Mr. Whellan,
Thank you for forwarding the information on the proposed Riverside Drive Development. Currently Baty elementary school is near capacity, so any additional housing units will have an educational impact on the district. We will review attendance boundaries next spring and it may become necessary to zone some neighborhoods in that area away from nearby schools to those on the outer edge of the district. Developers need to be aware of this so that they do not give out incorrect or misleading information to potential tenants. We also ask that in the planning of the Development that a Safe route to the school or to the bus pickup is considered

Do you have any forecast of completion timelines on this project you can share?

Thanks again for the information,

Bill Myers
Office 386-3124
Bmyers@dvisd.net

EXHIBIT
O

Question or Comment:

I walk in Roy Guerrero park every day. You will seriously impact this parkland, and arguing that it's a small piece of land doesn't negate what you're doing. This is the last affordable area close to town with parkland and you are taking it AWAY.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

I am strongly opposed to the demolition of student and low-income housing to build high-rise luxury apartments in the heart of our city. Moreover, we must not cede a single square foot of our beautiful, wild public park land for the sake of personal profit or heedless development. To do so would be to steal from and betray our children and grandchildren, and would be a violation of the values that we claim to hold dear as Austinites.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

Love the changes being made to the Riverside area. I am a Homeowner in the area. Austin is long overdue for a rebirth in many areas!
I have lived in Austin for over 30 years and know it is an expensive place to live.
I have struggled at times myself. One area of town or another I have lived in all parts as a renter and an owner.
What can help those less fortunate? (at least to ones that want help and are respectful)

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

New Zoning is required to handle the growth of the city. I hope the project goes through.
Please, think about micro-mobility (bikes, scooters), transit.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

As elected representatives, y'all have a responsibility to us, the people of Austin. How does displacing so many family units, driving up rent prices and pricing out the people you represent benefit the people you're supposed to serve?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

AUSTIN'S INTERIOR PARKLANDS ARE A NON-RENEWABLE RESOURCE, PLEASE WORK HARD TO MINIMIZE IMPACTS TO SE, REDUCTION OF PARKLANDS.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

Where are we, the residents of those apartments affected, supposed to go? I live at one of the Quads and I've been lucky to have affordable housing this close to work without a car. I'm not convinced that this redevelopment has a plan for where this many Austinites are suppose to move to. I feel like I'm living here off an hourglass of time before having to pack my bags and be pushed again throughout town, or worse, out of Austin all together.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

Given the recent fight regarding taking parkland for private development, how can you even consider taking parkland for this development?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

I am strongly opposed to the demolition of student and low-income housing to build high-rise luxury apartments in the heart of our city. Moreover, we must not cede a single square foot of our beautiful, wild public park land for the sake of personal profit or heedless development. To do so would be to steal from and betray our children and grandchildren, and would be a violation of the values that we claim to hold dear as Austinites.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

I walk in Roy Guerrero park every day. You will seriously impact this parkland, and arguing that it's a small piece of land doesn't negate what you're doing. This is the last affordable area close to town with parkland and you are taking it AWAY.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

NO to this project. Please listen to the community

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

I dislike the term affordable housing in Austin because it automatically is equated with specific + limited guidelines & housing policies, regulations, etc. ~~[illegible]~~ What I want to hear about ~~are~~ is housing that people can afford. When will Austin care about creating and preserving neighborhoods that low, poor, moderate, and middle income people can afford? To take away from parkland to encourage a

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Domain or Domain-like developer in southeast Austin is tone deaf + disrespectful. The communities being displaced aren't your focus. Soon Austin will have only upper income neighborhoods, with the other brackets pushed out [illegible]

Question or Comment:

The ROW in Guerrero Park: does it extend from South Pleasant Valley Road all the way to Grove Blvd.?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

I consider this area Apt. City.
More Water + Wastewater use.
Need Fire station + Ambulance use heavy.
Will homeless people be moved?
Lots more traffic.
Parking!

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

① # of lost affordable housing
they "promise" of affordable housing

② # of trips per day now
# of trips per day @ buildout?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

[redacted]

¿Tiene alguna pregunta o comentario?

Right now traffic is coping — with existing development/housing etc —
ERC is not a basis to take public parkland — Ch 26 was never part of ERC —
EIS posted? where?

¿Desea que nos pongamos en contacto con usted por teléfono o correo electrónico? Sí / No

Si la respuesta es sí, por favor, deje su nombre y su información de contacto:

Where is the environmental justice study.

Question or Comment:

Already has bike/ped access that is safe, effecti
and utilized. Adding a road adds cars = less safe
Where is your data for improved safety?
What is your definition of affordable housing in
this case? Studios, families,
what income level?
Isn't there a public vote required to convert parkland to something else

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Derek Hansen 541-606-2825

¿Tiene alguna pregunta o comentario?

Esto es pura mierda.

BULLSHIT

¿Desea que nos pongamos en contacto con usted por teléfono o correo electrónico? Sí / No

Si la respuesta es sí, por favor, deje su nombre y su información de contacto:

City is acting as a proxy.

Question or Comment: WHY IS THIS PROPOSAL EVEN BEING CONSIDERED? WHAT POSSIBLE BENEFITS TO THE COMMUNITY COULD THIS PROJECT POSSIBLY HAVE?
HOW MANY PEOPLE LIVING IN CURRENT HOUSING ON THE SITE WOULD BE DISPLACED? WHAT ARE THE DEMOGRAPHICS OF THE DISPLACED? MEDIAN INCOME? ETHNICITY? RACE?
IS THERE ANYTHING STRUCTURALLY WRONG WITH CURRENT BUILDINGS
WHAT IS THE LIFE EXPECTANCY OF EXISTING STRUCTURES?
IS ALL THIS PROPERTY NOW RENTAL? AVERAGE RENTAL?
WHAT ARE PROJECTED DEMOGRAPHICS OF NEW OCCUPANTS?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:
STEFAN WRAY
[redacted]

CAN WE HAVE A STUDY AND ASSESSMENT OF THE EXISTING STRUCTURES TO KNOW LIFE EXPECTANCY?

SEE BACK SIDE

¿Tiene alguna pregunta o comentario?
WHERE IS THE PROPOSED AFFORDABLE HOUSING THAT WOULD REPLACE FOR DENSITY BONUS?
HOW IS CONNECTIVITY TAKING LOAD OFF TRAFFIC IF WE ARE ADDING 4709 FAMILY UNITS?
HAS A TRAFFIC ANALYSIS BEEN DONE?
IF NOT, HOW CAN WE MAKE CONJECTURE ABOUT LOAD?

¿Desea que nos pongamos en contacto con usted por teléfono o correo electrónico? Sí / No

ROLE OF TXDOT?

Si la respuesta es sí, por favor, deje su nombre y su información de contacto:

WILL YOU BRING THE CH 26 ISSUE BEFORE THE ENVIRONMENTAL COMMISSION?

Question or Comment:

I am strongly against a road going through the park.

I am against this project.

Austin needs to stop cateing to big business.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Sarah 512-796-2415

[redacted]

Question or Comment:

I believe y'all are doing a great job. You have a unique opportun to build a population dense neighborhood with energy efficiency. My concern is to make sure nature is our top priority. Currently the Wickersham Watershed is disgusting. We need to make sure all water reaching the Colorado is clean. Please establish large sections of intense biodiversity of native grasslands and trees. I am on your side. Feel free to contact if you would like to learn more.

Would you like someone to contact you with a response to your question? Yes / No If you would like to.

If so, please write your name and contact info:

[redacted]

Question or Comment:

I urge you not to ① give away parkland to private developers ② Destroy affordable housing in return for vague promises of future affordable housing + extravagant luxury housing + commercial property.

Would you like someone to contact you with a response to your question? Yes / No I would like to be informed of next upcoming public hearing

If so, please write your name and contact info:

Andrea Black

[redacted]

Question or Comment:

Allowing 160' on all of the 97 acres allows for too much density along the corridor. Please set the area between Elmo north to Lakeshore (up to parkland) at a lower heighth.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Jan Long [redacted]

512-656-9586 (cell)

Question or Comment:

Contact info = sherri.taylor@g.austincc.edu

SOPHIE is a proposal to develop a 12 step home restoration procedure.

Standardizing Optimal Premises Hospitality Inspires Empowered Residents take care of their neighborhoods because they are rooted in memories

Current resources for upgrading existing homes and multifamily complex. Will you provide the names of the title company, real estate officials, and legal representatives for these projects to a resid

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Question or Comment:

This is class warfare, economic antagonism, & is harmful to people, tell me how it is not.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Brendan C. Dooley [redacted]

Question or Comment:

Does this affect people homes to complete this proposal

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Hadley Stuart 512-785-0975

Question or Comment: If you are going to put that but of extra road can you also ask for a bike trail out to Montopolis with lights

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

[redacted]

Question or Comment:

Does the ERC include funding from the Austin Affordable housing bond to ensure that people are not displaced?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Erica Foster [redacted]

Question or Comment:

Why was Presidium Group chosen for this big development project? Who decided this development group was the best for this project? Why is the COA getting involved w/ a development company who has hired + works w/ David Wallace?
What does 8-12% of affordable housing look like in real numbers for the community of Austin / East Riverside esp in regard to current # of housing

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Nicole Clark
775-772-6269 or [redacted]

Question or Comment:

If extending Lakeshore Blvd is not required for the development - as said by official during the meeting - they drop it from the plan. Do not take parkland for it. If the extension is required for the traffic impact numbers to work, then it IS part of the development. Leave the park alone.

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Gordon Kelley

[redacted]

512-809-9021

Question or Comment:

How many ~~[illegible]~~ multifamily units, hotel rooms, square feet of office space, square feet of medical/dental office space & ground floor commercial space currently exists in this zoning case?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Monica Sanchez 5127316399

[redacted]

[redacted] Ellen Gipps
[redacted]

[Blue Comment Card]
I'd like a response, please

~~to~~ Has an environmental impact statement been issued in regard to the taking of the "Sliver" of Parkland? If so, How may I view it?

Question or Comment:

An environment impact study is needed on possible habitat destruction of the many species at Roy Guerrero Park, impact on plant life and possible contamination of Colorado River due to road construction at park. Will you request an environmental impact study?

Would you like someone to contact you with a response to your question? Yes / No Thru email

If so, please write your name and contact info:

Poder [redacted]

Question or Comment:

Why is Planning Staff recommending non-compliance of the E. Riverside Corridor Plan? In other words, exceeding the current adopted ERC Master Plan.

Would you like someone to contact you with a response to your question? Yes / No Thru email

If so, please write your name and contact info:

Poder [redacted]

Question or Comment:

Why is City Planning Staff recommending giving public park land to a private for profit corporation?

Would you like someone to contact you with a response to your question? Yes / No thru email

If so, please write your name and contact info:

[redacted]

Question or Comment:

Is the City Planning Staff obligated to file Chapter 26?

Would you like someone to contact you with a response to your question? Yes / No thru email

If so, please write your name and contact info:

Poder[redacted]

Question or Comment:

Why is the City of Austin supporting gentrification
Why is the City of Austin supporting the displacement of students & working class families?
Where are they supposed to go?
What would be the cost of living in this area? How will this affect UT & ACC students? Where will they find affordable housing on the UT BUS route?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Sarahi Rojo

[redacted]

Question or Comment:

How many affordable multifamily units currently exist in this zoning case? How many affordable units will exist if zoning case is approved? How does this zoning case define an affordable unit as far as square footage per unit & cost of rent per month?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Monica Sanchez 512 7316399

[redacted]

Question or Comment:

IS THE AFFORDABLE HOUSING THAT WILL BE CREATED IN ORDER TO QUALIFY FOR HIGHER DENSITY LOCATED WITHIN THE PROJECT? AND ~~WE~~ WHAT PERCENTAGE OF THE HOUSING WILL BE DEDICATED TO AFFORDABLE HOUSING?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

NATALIA LOPEZ

[redacted]

512-348-0223.

Question or Comment:

What will we do when we have no where else to go? Serious question. Will other affordable housing elsewhere? Riverside is the last area of Austin I can afford. :(

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

[redacted]

Question or Comment:

In a city utterly lacking in beds in homeless shelters & sustainable post-shelter dwellings (homes for families at the 30% mrt) how can the city justify knocking down vital affordable housing stock in an equally vital low-barrier to entry? I work at the intersection of affordable housing & immigration, particularly with refugees & asylum-seekers. The housing in the Ball parks & on Riverside is an invaluable resource in our arsenal to help folks get out of detention & start life stably in Ottawa. If we lose this housing stock, we lose an urgent resource in our toolbox to help asylum-seekers stay housed

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Kate - (339) 368 0888

[redacted]

Question or Comment:

The proposed development offers 4,700 units that the city certainly needs — can the developers ensure that the total amount of proposed housing and commercial space become a reality to the city?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Andre Gouws

[redacted]

Question or Comment:

THE PROJECT TIMELINE IS FROM 2023 – ~~2~~ 2043. WILL RESIDENTS BE DISPLACED IN PHASES AS WELL? OR WILL THERE BE INHABITED/EMPTY LAND ~~WHE~~ WHILE THE PROJECT IS BEING COMPLETED?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

NATALIA LOPEZ

[redacted]

Question or Comment:

I have lived in the same exact apartment on 2200 Willow creek for 12 years. This neighborhood needs parks, bike lanes, lighting, and safety/traffic light adjustments. I need to know how you think people like me will be able to maintain my quality of life with 6,000 new units, reduced parking, increased traffic, increased property value, congestion, increased homeless population, and so many other

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Olivia Tamzarian

[redacted]

Question or Comment:

Upal is way too vague, no specifics.
What is the "Connectivity"?
Be specific of what public safety you are providing.
Upal needs to stop smirking!
And needs to not be texting while public is speaking!

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Kathy Panak

[redacted]

Question or Comment:

Would Lakeshore need to be extended if the developer was not asking for such density?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Jan Long [redacted]

512-656-9586

Question or Comment:

How many apartments can be built at the current base zoning?

Would you like someone to contact you with a response to your question? Yes / No thru email

If so, please write your name and contact info:

Poder [redacted]

Question or Comment:

Questions for the 97 Acre Public Hearing on March 27th, 2019

Will the 97 Acre redevelopment case be reviewed by the Environmental Board and the Community Development Commission? If not, why?

Recommendation should be made that the Environmental Board and Community Development Commission review this zoning case.

Would you like someone to contact you with a response to your question? Yes / No thru email

If so, please write your name and contact info:

Poder. [redacted]

Question or Comment:

To what extent do you foresee Chapter 26 interrupting the Roy G disc golf course? This course is one of the top professional level courses in Texas, and any disruption to the course would be devastating!

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Paul Wentzell [redacted]

Question or Comment:

Does the ROW for Lakeshore Blvd. extend all the way through Guerrero Park to Grove Blvd.?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Malcolm Yeatts

[redacted]

Question or Comment:

① Please make sure there is built in infrastructure for alternative modes of transportation. Preserve or create as much green space as possible.

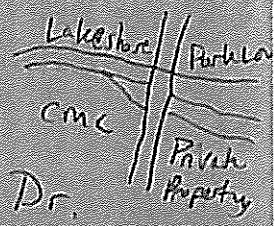
② Is it possible to re-align Lakeshore Blvd, so that when it extends east of Pleasant Valley, it doesn't require taking ~~[illegible]~~ park land?

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

Sounthaly Outhavong

[redacted]



Question or Comment:

- Is it not possible to realign the Lakeshore Dr. through the CMC property and stay within the private property?
- Is the developer contractually obligated to provide the number of housing units they say they will provide? (4,000)

Would you like someone to contact you with a response to your question? Yes / No

If so, please write your name and contact info:

- Alex Chen

[redacted]

Grantham, Scott

EXHIBIT P

From: Julia Von Alexander
Sent: Wednesday, March 27, 2019 9:48 PM
To: Grantham, Scott
Cc: Cronk, Spencer; Adler, Steve; Garza, Delia; Renteria, Sabino; Casar, Gregorio; Kitchen, Ann; Flannigan, Jimmy; Pool, Leslie; Tovo, Kathie; Alter, Alison; Ellis, Paige; natasha.harpermadison@austintexas.gov
Subject: NO to East Riverside Oltorf Combined Neighborhood Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Grantham,

I am an Austin resident, an advocate for low-income housing and racial equity, and a regular visitor to the Roy G. Guerrero park.

I strongly oppose the rezoning of East Riverside. This is a neighborhood that has been home to people of color and low-income folks for decades. In recent years, as the cost of housing has risen astronomically, families have been forcibly displaced to make way for luxury and market rate housing.

Furthermore, destroying any part of the invaluable park land and wild spaces of Roy G. Guerrero Park is a step backwards from which our city will not recover. That habitat has been preserved through the hard work of many of Austin's communities, and every square foot of it must be protected.

A "new Domain" is not what District 2 or Riverside needs, and is not a part of the Austin I want to live in. I strongly oppose the proposed re-zoning.

Thank you,
Julia Von Alexander

--
Julia Von Alexander
3707 Cedar St. Apt 202
Austin, TX 78705
512-294-7855

Grantham, Scott

From: Leticia Urieta
Sent: Thursday, March 28, 2019 3:32 PM
To: Rivera, Andrew; Grantham, Scott
Subject: Concern about development in East Riverside

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
I am a concerned citizen and former resident of the East Oltorf and Riverside area and would like to express my concerns about the further development of public land for luxury housing developments which have plagued East Austin for the last decade and displaced numerous long time residents of the area. I am especially concerned about the Presidium Group's plans to continue the progress on their developments on Riverside and the potential harm that could be done to the Roy G. Guerrero Park, which is a public community space that is vital to local residents. I am also very concerned about the damage that this would do to local residents and students in the Ballpark, Quad and other apartments in the area with rising rent prices and property taxes for residents, as well as outright displacement.

I am writing that you pass my concerns on to the planning commission and that I urge them to vote against this rezoning and accommodation of developers of the interests of Eastside residents.
Thank you,
Leticia Urieta

--
Leticia Urieta
Community Teaching Artist
Adjunct Professor-St. Edwards University
Program Director-Barrio Writers Austin
Founder of Lenguas Loc@s Writers Collective
Twitter- @LeticiaUrieta

From: Amanda Cavazos Weems
To: Grantham, Scott
Subject: Domain Riverside Development
Date: Wednesday, July 11, 2018 4:33:12 PM

Mr. Grantham,

I am writing to urge you to deny the permit to build another Domain in the Riverside neighborhood. As a resident of Austin for the past 20 years, I can say that we have more than enough shopping districts, and a dearth of affordable housing. This development would pave over the affordable housing this city desperately needs - please deny this permit.

Sincerely,
Amanda Cavazos Weems
512-706-5268

Grantham, Scott

From: Jaguar Reow
Sent: Thursday, March 28, 2019 8:23 PM
To: Grantham, Scott
Subject: Fwd: [uwsa-organizers] Fwd: NO to East Riverside Oltorf Combined Neighborhood Plan

Dear Mr. Grantham,

I am an Austin resident, an advocate for low-income housing and racial equity, and a regular visitor to the Roy G. Guerrero park.

I strongly oppose the rezoning of East Riverside. This is a neighborhood that has been home to people of color and low-income folks for decades. In recent years, as the cost of housing has risen astronomically, families have been forcibly displaced to make way for luxury and market rate housing.

Furthermore, destroying any part of the invaluable park land and wild spaces of Roy G. Guerrero Park is a backwards step from which our city will never recover. That habitat has been preserved through the hard work of many of Austin's communities, and every square foot of it must be protected.

A "new Domain" is not what District 2 or Riverside needs, and does not represent the Austin I want to live in. I strongly oppose the proposed re-zoning.

Thank you,
Michael Blue

To: Scott Grantham, Planning Commissioners, and City Council Members
From: Ethan Judd, UT Student and PODER Intern
Date: 29 March, 2019
Subject: Zoning Cases C14-2018-0026, 0027 & 0028 and Chapter 26

Statement on Proposed Road Construction through Roy Guerrero Park

City of Austin Community Meeting
Wednesday, March 27, 2019

This project should not be allowed to continue without a complete and thorough review by an environmental board. This review should certainly include a full-scale environmental impact report. In the proposal to extend Lakeshore Boulevard through Roy Guerrero Park, the city has yet to acknowledge a number of environmental effects that the road would have on the species of Roy Guerrero Park, and on the surrounding landscape. Likewise, before any further construction planning of the road happens, the city has a responsibility to acknowledge and account for health costs, pollution costs, and hidden economic costs.

We should first acknowledge that the construction of the road would lead to habitat destruction of many species in Roy G Park. Building the road would necessitate the clearing of dozens of trees -- the exact amount is unknown until the city produces the necessary tree inventory. These trees house many of the 230 bird species found in Roy G Park (Pfeil, 2018). Destruction of these trees will result in a loss of habitat for these species, causing ecosystem disruption as they're forced to relocate and build new nests.

We also risk future destruction of habitat through the creation of impervious surface. With the construction of the road, rainfall that would normally seep into the ground is now blocked from doing so. This water is expected to runoff to the Colorado River, causing higher-than-typical amounts of erosion. This erosion will likely compromise the habitat of a number of ground-dwelling species in Roy G Park.

The creation of impervious surface is also dangerous because it compromises the health of aquatic ecosystems and our own water supply. The proposed road would be built to connect to "Lakeshore Road" -- aptly named, as it lies literally on the shore of Town Lake, a primary water source of Austin. Articles from the Journal of Contaminant Hydrology estimate that up to 20% of pollutants emitted from vehicles are brought to water sources via stormwater on impervious surfaces (Göbel, 2007). These include road surface abrasion, tire abrasion, brake pad abrasion, drip loss from fuel, oil, antifreeze, and others. All of these contaminants would appear in our water at higher rates than they do now if the road is built. This isn't even to acknowledge the runoff into the water that would surely happen from the actual construction of the road, with the use of soil-breaking technologies. There can be no doubt that the construction of this road would lead to further contamination of the Colorado River, both in toxic chemicals and sediments. There can likewise be no doubt that this would consequently increase the strain on our water filtration

systems. After our city's water crisis of October 2018, a crisis which primarily affected the exact people who this development project seeks to displace, we should surely be more aware of issues pertaining our water sources. We at least require the due diligence of having a full report to document what impacts the construction of the road would have on Town Lake.

The proposed road would impact not only water pollution, but also air pollution. Given the enormity of the proposed development in the 97 acres south-southwest of the park, it's expected that this road would be heavily trafficked, especially during rush hour times. The vehicular organic compound emissions from automobile traffic in this area would not only impact the nearby park wildlife, but also the families living in the 97 acres and visitors to the park. Our best science to date suggests that this would significantly increase cases of asthma, bronchitis, and other respiratory afflictions among those living within a few hundred feet of the road (Kim, 2004). This increases economic strain on the city via increased healthcare costs for those living in the East Riverside Corridor.

Noise pollution is another item that an environmental committee will need to take a look at. Noise pollution is considered by the World Health Organization to be the third most hazardous type of pollution, yet we have failed to account for it in the proposed building of this road (Khilman, 2004). Roy Guerrero Park's main attraction point for visitors is the feeling of total separation one has from the urban landscape we live in. Noise pollution infringes on this feeling of separation. A study done in the journal of urban planning shows that the presence of a road near parkland increases the noise in the park by several decibels (Merchan, 2014). An analysis of this trend in the same article showed that this increase in noise greatly decreased visitor satisfaction with their park experience. This noise pollution will likely disrupt other animal species living near the border of the park, and has the potential to impact mating and behavior patterns of certain species. We will not know the full impact of the noise pollution from the road until the city necessarily researches it and reports on the findings.

The city cannot move forward with this project until full-scale impact reports are completed. To say that the only environmental impact of the road is the few acres of park it replaces is to be ignorant of the many other far-reaching ecosystem impacts we know will occur. The city is so eager to get the 97 acres development done that we've been neglecting its true costs, whether they be environmental, health-related, or economic. Citizens have a right to know all the impacts this road will have on their park, their communities, their water, and their health. At the very least, there should be more than a single community meeting about the topic. More discussion and research is required before anything regarding this road gets done.

Sources Cited

Göbel, P., et al. "Storm Water Runoff Concentration Matrix for Urban Areas." *Journal of Contaminant Hydrology*, vol. 91, no. 1-2, 2007, pp. 26–42., doi:10.1016/j.jconhyd.2006.08.008.

Khilman, T.: 2004, 'Noise pollution in cities, Curitiba and Göteborg as examples', in: *Proceedings of the Seminar — Environmental Aspects of Urbanization — Seminar in Honor of Dr. Mostafa Kamal Tolba*, Gothenburg, Sweden, in CD.

Kim, Janice J., et al. "Traffic-Related Air Pollution near Busy Roads." *American Journal of Respiratory and Critical Care Medicine*, vol. 170, no. 5, 2004, pp. 520–526., doi:10.1164/rccm.200403-281oc.

Merchan, Carlos Iglesias, et al. "Noise Pollution in National Parks: Soundscape and Economic Valuation." *Landscape and Urban Planning*, vol. 123, 2014, pp. 1–9., doi:10.1016/j.landurbplan.2013.11.006.

Pfeil, Betsy. "Speak Up for Roy Guerrero Park." *Signal Smoke Newsletter*. Travis Audubon Society. Published 8 February, 2018. Accessed 20 March, 2019. https://travisaudubon.org/uncategorized/speak-up-for-roy-guerrero-park.

From: Carly Lucas
To: Grantham, Scott
Subject: [Released] No Domain on Riverside!!!
Date: Thursday, July 12, 2018 9:05:22 AM

Dear Scott Grantham,

This is a message, not just to you, but for all workers of the city of Austin. I want to remind you of who you're affecting when you make your decisions. I want to remind you of the people who are struggling to survive at the place we've called home for so long. I want you to see the faces of the people you're actually supposed to work for. We are the workers that keep Austin running, us, not the developers, not the tech executives, and, sure as hell, not the CEOs. Our homes are being destroyed, our communities are being pushed further and further out from the city, the lives people have known for decades have been left to decay and now are being replaced because they're no longer profitable.

Primarily communities of color face a city that is becoming ever more hostile to them, with the cost of living rising, our communities left to rot, and the ever-present police that label us as criminals. I ask you today, do you have any humanity? If you answered yes, show it. If you answered no, then get the hell out of our city. We are the people making sure Austin, and the world, keep running, we will not be silenced, we will no longer be crushed under the foot of capital. We will fight for our homes, our communities, and our lives, and nothing can stop our power.

Sincerely,

Austin native Carly Lucas-melanson

From: Jacqueline
To: Grantham, Scott
Subject: No Domain on Riverside!
Date: Thursday, July 12, 2018 8:08:06 AM

Hello Scott, I am a supporter of the Defend Riverside campaign and I do not want to see 4,000 people displaced. The rezoning of the Ballpark Apartments will have a negative affect on the community. Deny the application!

--
--
Jacqueline Ramos

To: Scott Grantham, Planning Commissioners and City Council Members

From: John Dubois, Senior at UT Austin, PODER Intern

March 29, 2019

Subject: Zoning Case C14-2018-0026, 0027, 0028 and Chapter 26

Brief Statement Regarding the Proposed Road through Guerrero Park

The proposed plan to build a new road through the Roy G. Guerrero park as a result of the new housing development plan on the East Riverside Corridor is one that should be reviewed and (in my opinion) revised going forward.

Housing Plan:

The road intends to abate traffic in the riverside area for the new housing plan proposed by a developer from California (which would construct 5,000+ new housing units). This housing plan would displace close to a thousand Austin families living in affordable East Austin housing, demolishing a housing complex known to many native Austinites as 'The Ballpark'. Not only this, but this complex would bring an enormous amount of population density to an area already struggling with great amounts of traffic and car pollution.

Guerrero Park:

The Roy G. Guerrero public park park is an important part of Austin's urban ecosystem, containing over 500 recorded plant species and 230 unique Bird species. This public space serves not only as a unique, thriving and green habitat to this abundance of Austin species, but also serves as a metropolitan recreational space. The park provides baseball fields, disc golf, hike and bike trails, and bird watching opportunities to the local Austin community. This is a unique public space in a city of Austin's size that deserves to be preserved.

Proposed Road:

The proposed road would cut directly into the public parkland of Guerrero Park, and I would like to make the case that this is problematic. This project raises a whole host of concerns from an Environmental standpoint. The effects of the introduction of an increase of traffic in wildlife sensitive areas have been shown to increase the rates of wildlife fragmentation and loss;

this is caused by pollution from traffic (light, noise and emissions based), traffic and animal collisions, among many other road related factors. The introduction of streets and roads have been cited to be among the most devastating factors in regards to environmental habitat degradation and fragmentation (Ree, et. al, 2011).

In conclusion, this project deserves to have a deep review done by both the community and the City of Austin. The environmental and wildlife effects to Roy Guerrero park, and the surrounding Colorado River ecosystem, could be irreversible and as such need deserve serious research and consideration.

Sources Cited:

file:///Users/JohnDubois/Downloads/ES-2011-3982.pdf
https://travisaudubon.org/uncategorized/speak-up-for-roy-guerrero-park
https://www.inaturalist.org/projects/circle-acres-biodiversity

From: Nicholas turkette
To: Grantham, Scott
Subject: Pilot knob development and more!
Date: Wednesday, July 11, 2018 5:12:28 PM

Hello Scott!
Hey it's been over a year and all seems to have settled out a little bit at pilots knob.
The easement was never officially activated or used and I'm still kinda confused as to what might happen with that in the future. Anyways, thanks for engaging in that in 2016.
Still cleaning up flood debris and rebuilding. It's been very difficult to reclaim that space from nature.
I also just wanted to say a quick few words on the issue of development on east riverside. I grew up in Del Valle, and had my first jobs on riverside dr. Thundercloud subs! The domain style riverside development plans would really tear that community apart and forever change the proud working class and student vibe and history, of ballpark apartments and riverside in general. I know there's more money in razing and rebuilding a new tech playground OZ style palace. But please consider all the families and businesses that will be priced out. Also consider the unfair, sometimes clearly classist and seemingly racist gentrification of east Austin in general. We're rooting for the city planners and folks in yalls positions to make the calls that forever determine the neighborhoods we live in and want to share with our children. Hope yer on the right side of the votes, plans, history etc.
Thanks
Nick turkette

On Mar 15, 2016, at 11:23 AM, Grantham, Scott <Scott.Grantham@austintexas.gov> wrote:

Thank you for your message. I will be out of the office until Monday, March 21, and will respond to your message when I return. If require immediate assistance, please contact Michael Simmons-Smith at Michael.Simmons-Smith@austintexas.gov or Christine Barton-Holmes at Christine.Barton-Holmes@austintexas.gov.

Take care!

Best - Scott

Scott Grantham, AICP
Planner III | Development Services Department
scott.grantham@austintexas.gov
512.974.2942

To: Scott Grantham, Planning Commissioners, and City Council Members
From: Autumn Gallardo; UT Student, PODER Intern
Date: March 29th, 2019
Subject: Zoning Case C14-2018-0026, 0027, 0028, & Chapter 26

Statement Regarding the Importance of Roy G. Guerrero Park on Historically Oppressed Residents

City of Austin Community Meeting
Wednesday, March 27th, 2019

Austin, TX is well-known for its harmonious melding of urban and natural environments. In a 360 degree turn, you can see the hustle and bustle of Downtown, 6th Street, and South Congress, as well as the beautiful serenity of Lady Bird Lake, Zilker Park, and Auditorium Shores. However, Austin has also gained notoriety for its absurd rising housing costs and inequality, consistently making top ten lists for the most gentrified cities in America.[1][2] It is more and more evident every day that Austin tends to cater to the white and the wealthy, and this proposed "development" of Riverside from NRE ION LLC (97 Acre Zoning Cases: C14-2018-0026, 0027 & 0028) is a perfect exemplification of this skewed partiality. This private developer wants to demolish 1,308 affordable housing units and has proposed putting a road through the Roy G. Guerrero park. This is a blatant disregard for people of lower socioeconomic status (who are also typically of Hispanic/Chicano/Latinx origin) by displacing those residents and creating new, more expensive, multi-family units, hotel rooms, and office space through this high density project. The people that are not directly being dislocated from their affordable living arrangements will still be affected, as this proposed project will cause exorbitant price hikes in rent and other living costs to nearby areas as more developers frantically land-grab and perpetuate the driving out of people of color, much like Austin has historically since the early 1900's with the segregation associated with I-35.

Not only are private developers like NRE ION LLC aiding and abetting the racism and inequality ingrained in Austin's housing market, but they are also attacking the biggest public park land available to these same disadvantaged

[1] https://www.governing.com/gov-data/census/gentrification-in-cities-governing-report.html
[2] https://www.realtor.com/news/trends/10-surprising-cities-that-are-gentrifying-the-fastest/

groups. Roy G. Guerrero park is a place of solace for many people of lower socioeconomic status, and even the smallest intrusion into this park would be a slap in the face to those already facing so much adversity.

The physical, social, and mental health benefits are abundant with regards to accessibility of green spaces and exposure to nature. A plethora of research and studies have been conducted on this association and it is well known in the scientific community that contact with nature reduces stress, improves attention, increases longevity, reduces the risk of cardiovascular diseases and obesity, and provides a vast assortment of other restorative effects.[3] Just existing in nature encourages physical activity, brings about mental peace, and fosters social cohesion, all of which facilitates a healthier, happier life than one without greenness.[4] Our human connection to the environment has been well known for decades; Edward O. Wilson described this innate tendency to seek connection with nature and other forms of life in the *biophilia hypothesis*, which he proposed and popularized in 1984.[5] Similarly, the term *nature deficit* (and moreso, *nature deficit disorder*), coined by Richard Louv in *Last Child in the Woods* describes the detrimental physiological and neurological conditions like obesity, attention disorders, and depression is partly due to a decrease in people's (particularly children's) lack of exposure to nature.[6]

To impede upon the residents of East Austin/Riverside's access to physical and mental health as well as social capital via the destruction/alteration of Roy G. Guerrero park would be a disgrace. This park (and these affordable housing units) are important to people, and Austin needs to support communities, not capitalism. Enough is enough - listen to the people affected by this "development" (i.e. gentrification) and save both Riverside and Roy Guerrero Park.

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[3] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2760412/
[4] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4500194/
[5] "Biophilia hypothesis." Encyclopedia Britannica.
[6] https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2760412/