



## MEMORANDUM

**TO:** Mayor and Council

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

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

**DATE:** September 13, 2016

**SUBJECT:** The Grove staff review

---

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

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

### Management's Role in the Review Process

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

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

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

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

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

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

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

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

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

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



## MEMORANDUM

**TO:** Assistant City Manager Robert Goode

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

**DATE:** September 12, 2016

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



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

### Development Phasing:

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

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

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



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

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

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

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

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

### Traffic Analysis:

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

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



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

- Traffic Operations:

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

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

- Geometric Review:

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

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

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

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

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

### Technical Tools:

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

- SYNCRO Files:

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

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

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

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

- Trip Generation Rates:

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

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

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

TIA Table 1 (Annotated)  
 Trip Generation - Unadjusted

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

E Value correctly calculated using regression equation  
 R Value correctly calculated using average rate method

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



- Trip Reduction Rates based on Transit Assumptions:

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

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

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

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

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

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

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

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

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

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

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

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

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

- **TIA Amendment:**

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

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

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

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

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



**Attachments:**

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

## Spillar, Rob

---

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

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

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

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

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

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

September 12, 2016

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

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

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

Dear Mr. Spillar:

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

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

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

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



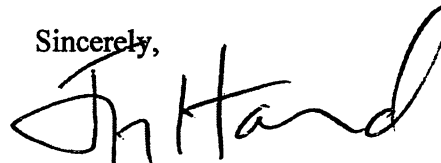
Mr. Robert J. Spillar, P.E., Director  
Austin Transportation Department  
City of Austin  
September 12, 2016  
Page 2

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

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

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

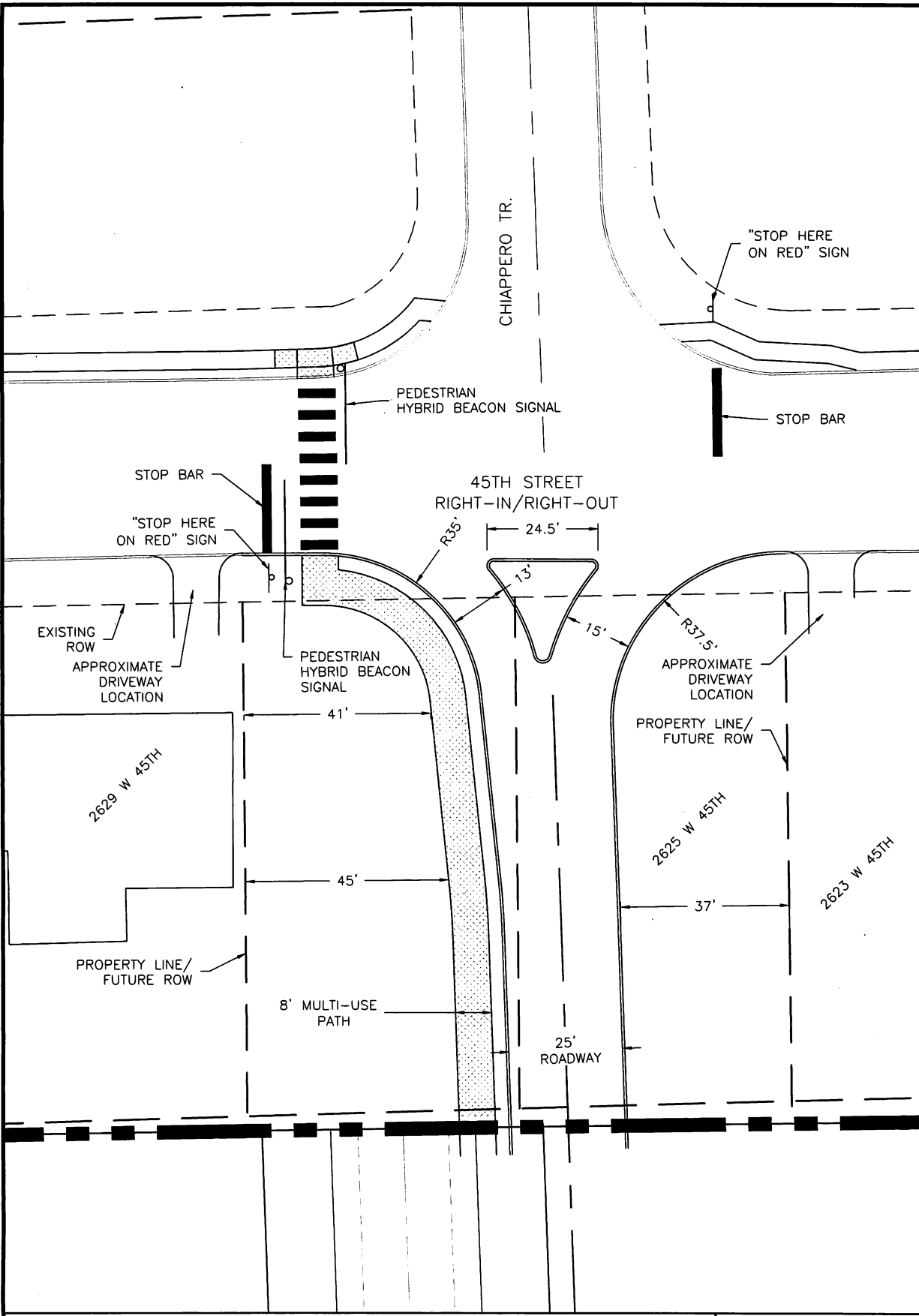
Sincerely,

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

Jeffrey S. Howard

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

V:\Projects\Milestone Communities Builders' Bull Creek 45th St Turn Lane 3455-00\03 CAD\06 xref Files\Jackson St & 45th St\8-18 JACKSON SHIF Bldg Layout 3 - 11x17 Plotted: 9/12/2016 1:41:16 PM



CONCEPTUAL ROADWAY PLAN

THE GROVE  
JACKSON STREET & 45TH STREET

BROWN & GAY ENGINEERS, INC.  
7000 NORTH MOBILE, SUITE 330 AUSTIN  
TX 78731 TWP: Registration No. F-1048  
TEL: 512-787-0400 www.browneng.com





## MEMORANDUM

**TO:** Assistant City Manager Robert Goode

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

**DATE:** September 9, 2016

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

*Rodney Gonzales*  
*Robert Spillar*

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

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

### Establishment of Improvements

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

### Site Development Permit Process

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



## Transportation Review Process

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

- Senior Management Participation:

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

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

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

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

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

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

- **Front-Line Staff Comments:**

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

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

## Cross Reference Table

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

(See Memorandums, attached)

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

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

- **Traffic Phasing Agreement:**

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

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

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

- **Determination of Traffic Mitigation:**

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

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

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

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

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

- **SYNCRO Files:**

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

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

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

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

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

- **March 22, 2016 Meeting:**

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

- **Unsigned Memorandums:**

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

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



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

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

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

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

### Attachments

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

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

Eric,

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

Thanks,

André

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

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

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

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

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

All,

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

Thanks,

André

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

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

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

Andy and Eric,

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

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

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

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

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

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

Please advise.

Thanks.

Scott

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

Desk line (512) 974 - 2208





# MEMORANDUM

## DRAFT

To: Bryan Golden  
Development Services Department

Date: March 22, 2016

Project: The Grove At Shoal  
Creek

CC: Scott A. James, PE

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

Re: TIA Comments  
(February 2, 2016)

Page: 1 of 2

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

#### TIA Comments:

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



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

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

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

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

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

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



**Date:** March 25, 2016

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

**CC:** Sherri Sirwaitis, Case Manager

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

---

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

#### **GENERAL COMMENTS**

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

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

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

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

DSD2. Comment cleared.

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

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

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

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

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

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

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



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

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

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

Austin Transportation Department:

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

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

ATD11. Comment cleared.

ATD12. Comment cleared per Option 2 diagram provided.

ATD13. Comment cleared per Option 2 diagram provided.

ATD14. Comment cleared per Option 2 diagram provided.

ATD15. Comment cleared per Option 2 diagram provided.

ATD16. Comment cleared per Option 2 diagram provided.

ATD17. Comment cleared per Bull Creek Road diagram provided.

General Comment

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

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

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

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

Attachment



# MEMORANDUM REVISED

To: Jeff Howard  
McLean & Howard, LLP

Date: June 28, 2016

Project: The Grove At Shoal  
Creek

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

Sherri Serwaitis  
Planning and Zoning Department

From: Austin Transportation Department

Re: Review Comments

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

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

### **Analysis Comments**

1. The 2018 analysis, as presented in the TIA, does not include the following:

- Full build out of the Bull Creek Road and West 45th Street intersection
- The improvements at the Bull Creek Road/Driveway 1 intersection
- The improvements at the Bull Creek Road/Jackson Avenue intersection
- The improvements at the Mopac/45<sup>th</sup> Street intersection
- The improvements at driveways 2 through 5 along Bull Creek Road

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

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



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

### **Geometric Comments**

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

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

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

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

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

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

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

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





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

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

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



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

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



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

### **Development Phasing Comments**

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

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



## Sirwaitis, Sherri

---

**From:** Bollich, Eric  
**Sent:** Thursday, September 22, 2016 7:56 AM  
**To:** Sirwaitis, Sherri  
**Subject:** RE: The Grove PUD at City Council

Here are some points from ATD

- Applicant submitted 6 TIAs since the start of the project in response to ATD's review comments.
- ATD required redesign of the alignment of the intersection of 45<sup>th</sup> St/Bull Creek Rd to improve safety for all modes.
- ATD required a protected bicycle lane on Bull Creek Rd south of 45<sup>th</sup> St for improved safety and a shared-use bridge across Shoal Creek for improved connectivity.
- ATD required pedestrian hybrid beacons on Bull Creek Rd and 45<sup>th</sup> St to improve pedestrian crossings.
- ATD required improvements to make the intersection of 45<sup>th</sup> St/Bull Creek Rd operate acceptably. They resulted in acquisition of ROW and easements from property owners on the northwest and southeast corners of the intersection.
- These requirements increased the applicant's original contribution to \$2.9M in the final TIA submittal.
- The applicant has submitted a transportation demand management (TDM) plan to reduce trip generation as requested by ZAP. ATD is currently reviewing it.

**From:** Sirwaitis, Sherri  
**Sent:** Tuesday, September 20, 2016 12:02 PM  
**To:** Linseisen, Andrew <Andrew.Linseisen@austintexas.gov>; Bollich, Eric <Eric.Bollich@austintexas.gov>; Spillar, Rob <Rob.Spillar@austintexas.gov>; Lamensdorf, Marilyn <Marilyn.Lamensdorf@austintexas.gov>; Scott, Randy <Randy.Scott@austintexas.gov>; Soliz, Ricardo <Ricardo.Soliz@austintexas.gov>; Lesniak, Chuck <chuck.lesniak@austintexas.gov>; Bates, Andrea <Andrea.Bates@austintexas.gov>; Daniel, Leslie <Leslie.Daniel@austintexas.gov>; Zoun, Reem <Reem.Zoun@austintexas.gov>; Mars, Keith <Keith.Mars@austintexas.gov>; Copic, Regina <Regina.Copic@austintexas.gov>  
**Cc:** Rusthoven, Jerry <Jerry.Rusthoven@austintexas.gov>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>  
**Subject:** The Grove PUD at City Council  
**Importance:** High

Hello all,

At Work Session this morning, the Council members requested a comparison table to have an overview of the original PUD request, the staff recommendation, the ZAP Commission's recommendation and the current ongoing discussions regarding The Grove at Shoal Creek PUD. Please send me a brief bullet list of the items that have changed in for your discipline as this case has progressed through the review process (i.e.- the applicant's original request, changes made during the staff's PUD review, discussion had with applicant post ZAP recommendation). Please make brief points that can be included in a table format.

I appreciate your assistance, as always!!

Thanks,

## The Grove Affordable Housing Proposals and Final Recommendation

	Initial Proposal	Second Proposal	Final Staff Recommendation
S.M.A.R.T. Housing Certification	Yes	Yes	Yes
Long Term Affordability	Permanent with CLT Restrictions 40 years for Rental	Permanent with CLT Restrictions 40 years for Rental	Permanent with CLT Restrictions 40 years for Rental
Units Conditioned on Funding	\$2 Million for ownership \$2 Million for Rental + 9% tax credits	\$2 Million for ownership \$2 Million for Rental + 9% tax credits	Not conditioned on funding or 9% tax credits
Total Units	1515	1380	1443
Total Ownership	1,000	726	721
Total Rental	515	654	722
Affordable Ownership Units	2.5% at 80% MFI: 25 5% at 120% MFI: 51	5% at 80% MFI: 36 units 6% at 120% MFI: 40 units	5% at 80% MFI: 36 units
Affordable Rental Units	20% affordable conditioned on receiving 9% tax credits: 104 total units 9 at 30% MFI 36 at 50% MFI 45 at 60% MFI 14 at 80% MFI	15% affordable conditioned on receiving 9% tax credits: 104 total units 9 at 30% MFI 36 at 50% MFI 45 at 60% MFI 14 at 80% MFI	10% affordable at 60% MFI: 72 units not conditioned upon funding or tax credits.
Total Units Income Restricted at 80% MFI or below	129	140	108



## Sirwaitis, Sherri

---

**From:** John Eastman <johnandlane@gmail.com>  
**Sent:** Friday, September 23, 2016 6:02 PM  
**To:** Adler, Steve; Kitchen, Ann; Renteria, Sabino; Zimmerman, Don; Tovo, Kathie; Pool, Leslie; Casar, Gregorio; Houston, Ora; Garza, Delia; Troxclair, Ellen; Gallo, Sheri  
**Cc:** thesonofgray; Sara Speights; Kevin Lucas; Gene Kincaid; Charlotte Cooper; Ryan Britton; Sirwaitis, Sherri; Cherie Havard; Aditya Rustgi  
**Subject:** The Grove, BCRC, and Ridgelea Neighborhood Association  
**Attachments:** Stratus Site Plan 09-10-12.pdf; SCC\_Master Bubble Plan.pdf; BCRC background for state land sale.pdf

Mayor and City Council,

Thank you for the thoughtful approach to the issues and meeting logistics last night. It was encouraging to see that progress is being made on parkland, funding for offsite traffic mitigation and accountability as an integral part of the Transportation Demand Management (TDM) plan. Those were the key focus areas of the presentation I had prepared on behalf of the Ridgelea Neighborhood Association (RNA). Another element of the presentation covered some of the four and half year history of the Bull Creek Road Coalition (BCRC). I was one of the founding members of the BCRC and served in the role of President for the first two years; currently I serve as the RNA representative to the BCRC Board. Based on the discussion last night about baseline zoning and expectations for the property the following background may be of interest in your deliberations:

- The BCRC was formed in 2012 in response to a proposal from Stratus Development working with HEB (site plan attached). At that time the property was to be developed while under lease from the state and would not have been subject to the city development review and approval process. Due to the traffic constraints on the roads surrounding the site Stratus proposed a vehicular bridge across Shoal Creek to Shoal Creek Boulevard. The main elements of the development plan included:
  - 950,000 sf of buildings (total)
  - 36.5 acres of park/greenspace
  - 750 residential units
  - 200,000 sf retail
  - 150,000 sf office
- Another development proposal that was presented to the BCRC by Standard Pacific Homes (attached) included:
  - 30 acres residential
  - 10 acres mixed use
  - 35 acres park/open space
- In 2013 the BCRC adopted a set of Design Principles for the site based on the ImagineAustin Plan.
- In 2013 and 2014 the BCRC worked with the State Cemetery Committee, TXDOT, Senator Watson and Representative Naishtat to facilitate the sale of the property. The BCRC supported the sale in order to ensure that any development would be subject to a public (city) development review process. TXDOT agreed to include background information prepared by the BCRC in the property disclosures for potential buyers (attached). The document includes a survey of surrounding residents, the Design Principles and additional background. It was designed to ensure that any buyer would understand the surrounding neighborhoods preference for a walkable, mixed use neighborhood scaled development on the site.

My apologies for piling on more reading materials but the good news is that I won't need to present this information at the next meeting.

Thanks again for your dedication and efforts on behalf of the citizens of Austin. Please feel free to contact me if you have any questions on the attachments or the Ridgelea position paper which was included in yesterday's backup.

John Eastman  
3906 Ridgelea Drive  
Chair, Ridgelea Neighborhood Association  
BCRC Board member for Ridgelea



## Conceptual Site/Land Use Plan

Scale: 1" = 100'

A Joint Venture

HEB Grocery Company & Stratus Properties

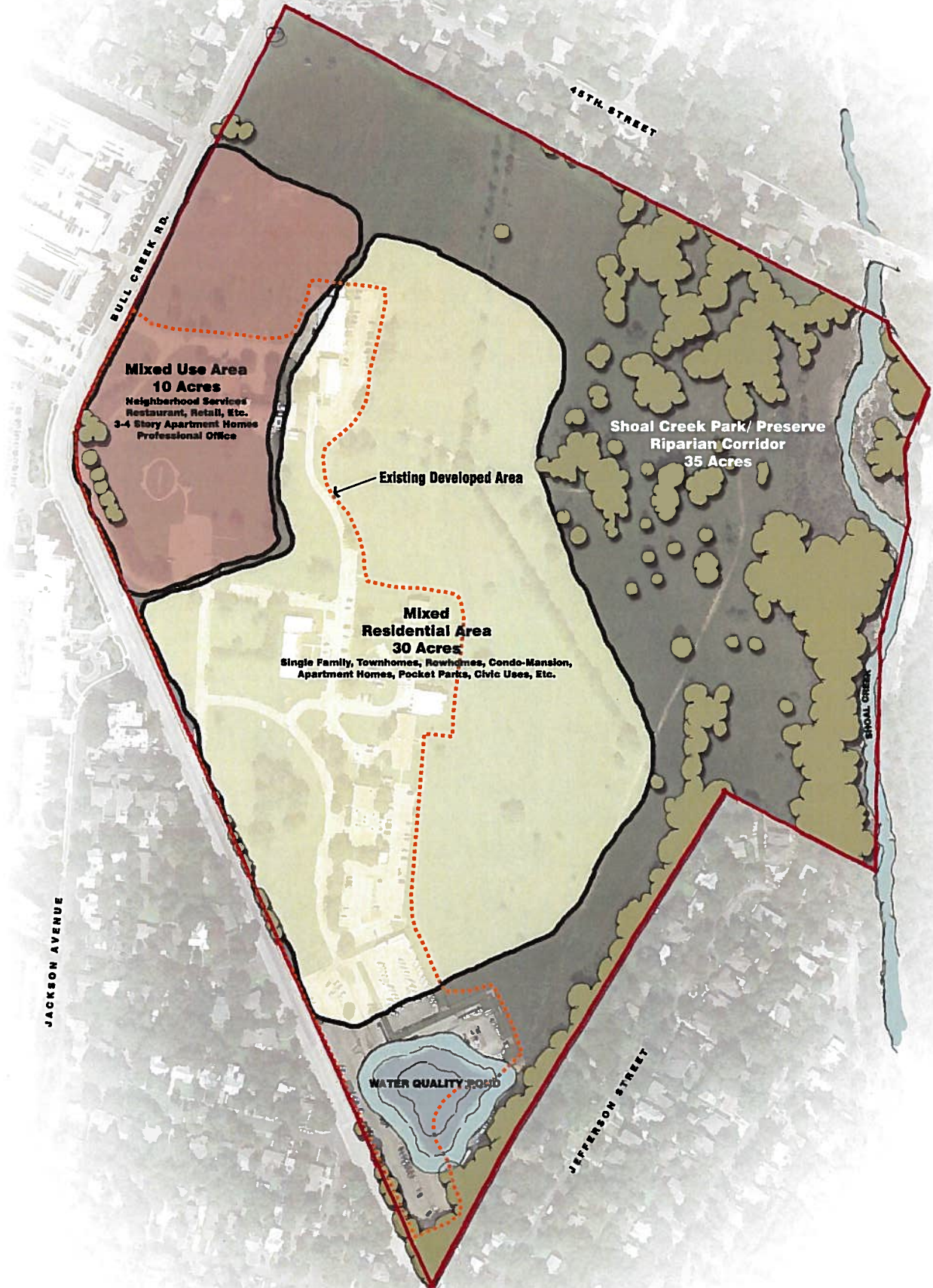
ENVIROPLAN Architects Planners

September 10, 2012



# SHOAL CREEK COMMONS

Conceptual Bubble Land Use Plan



This document is for informational purposes only. This document was prepared by the Bull Creek Road Coalition and not TxDOT. There is neither a recommendation on TxDOT's behalf nor is there any requirement pursuant to or regarding the content in the following document. However, TxDOT encourages any prospective buyer to contact the Bull Creek Road Coalition, at the contact information contained in the document regarding any information contained within this document or any other questions or concerns regarding the neighborhood impact of the project.



**Information Packet**  
**Concerning**  
**State Land Tracts**  
**State Cemetery and TxDOT Property**  
**Bull Creek Rd.**  
**Austin, Texas**

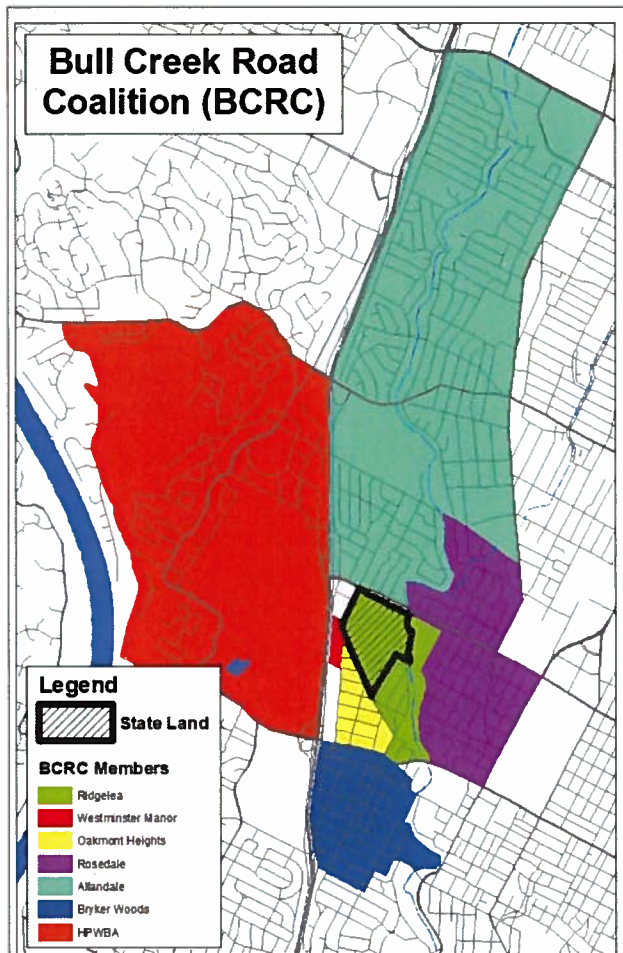
**Prepared**  
**By**  
**Bull Creek Road Coalition**

## ***What is the Bull Creek Road Coalition (BCRC)?***

The BCRC was formed in 2012 and is made up of the seven residential neighborhoods surrounding a 75-acre state-owned tract in Central Austin. Once it became clear that the state intended to sell or lease the tract for private development, the neighborhoods formed this coalition to work constructively with the state, the city and prospective developers to insure that

the tract is developed in a way that will be compatible with and enhance the existing neighborhoods, while meeting the state's need.

The neighborhoods represented in the coalition are Ridgelea, Rosedale, Oakmont Heights, Allandale, Bryker Woods, Highland Park West/Balcones Area and Westminster Manor, which together comprise more than 7,500 Central Austin households.



## ***What land is involved?***

The tract is adjacent to Bull Creek Road, with Shoal Creek on the east, and lies roughly between West 45<sup>th</sup> Street on the north and West 39<sup>th</sup> Street on the south. The only street access to the property is Bull Creek Road. Otherwise, the property is surrounded primarily by residential housing and the creek. (Map attached). The Texas Department of Transportation (TxDOT) owns 29.8 acres fronting on Bull Creek Road; the remaining 46.9

acres is dedicated to the Texas State Cemetery, but has never been used as a cemetery. Both state agencies have indicated a desire to sell their interests.

## ***What are the unique characteristics of this property?***

The land fronting on Bull Creek Road is flat and lends itself to development. However, the eastern side of the property, bounded by the creek, slopes downward significantly toward the creek. This area includes a grove of magnificent heritage oak trees, and a striking array of Texas wildflowers rugged enough to dazzle even in our drought conditions.

The main negative characteristic is the lack of automobile access needed for any significant commercial development. Except for Bull Creek Road, the land is completely surrounded by houses and the creek, so only this road—currently just two lanes--could be used for ingress and egress. But even if this road were widened, newly generated traffic would immediately hit the bottlenecks that already exist at 45<sup>th</sup> Street on the north, 35<sup>th</sup> Street on the south, and several residential streets in between.

### ***What resources does BCRC bring to the table?***

BCRC is fortunate to have among its residents outstanding professionals in many fields, including land planning, architecture and conservation, just to mention a few. As a result, we have developed the following:

- A sophisticated list of “design principles” that can be used by professionals to help design a sustainable development for modern urban living (attached).
- A detailed survey of neighborhood residents that required them to choose among realistic development options, to determine what their priorities are. More than 700 residents filled out the survey, and the results are attached. The greatest desire expressed is for some open-space to be maintained on the land closest to the creek. The greatest problem expressed is added traffic to the congestion already existing.
- BCRC has also been in consultation with the Shoal Creek Conservancy and the Lady Bird Johnson Wildflower Center, as well as the City of Austin, about how to best showcase the unique landscape of huge old oaks and wildflowers on the property.

### ***What does BCRC recommend as the best use of the land?***

- The two parcels of land should be sold together, not separately. Only planning and developing the whole 75 acres together will result in the most successful enterprise. Several architects, land planners and developers have said they also believe the property will bring a higher price if it is sold together.
- As clearly conveyed in the survey, some retail and commercial businesses, such as restaurants and specialty stores, would be appropriate with the majority of the developed land used for residential development. This could include high-density single-family, apartments, or other types of residential use. The advantage to this approach would be to keep newly generated traffic to a minimum.
- At least 30 acres along Shoal Creek should be maintained as an urban open-space or conservation area connected to the Shoal Creek Trail. These acres could include walking trails through the huge oaks and wildflowers. This would be a great added attraction for development closer to the road.

For more information: John Eastman, President of BCRC, (970) 846-2573, or Sara Speights, (512) 451-4618.

# **Bull Creek Road Coalition (BCRC)**

## **Neighborhood Survey**

**Austin, Texas**

**Spring, 2014**

**This survey was conducted in the seven neighborhoods surrounding the 75-acre state-owned tract of land contiguous to Bull Creek Road and between West 45<sup>th</sup> and West 39<sup>th</sup> Streets in Austin, Texas. The goal was to learn the opinions of the residents surrounding this property concerning utilization and development of the property.**

State Land Opinion Survey  
Spring 2014 - Bull Creek Road Coalition

If the state land is to be developed, what type of development you would prefer:

Answer Options

(High Density) Some 10+ story office and residential buildings and apartments.  
Example: Area around 6th and Lamar with Whole Foods store and large apartments.

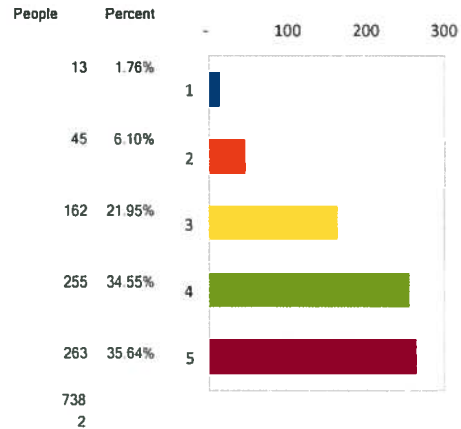
Mix of 4-5 story apartments, hotels and dense mix of small, mid and large scale retail. Example: The Domain.

(Medium Density) Mix of 4-5 story apartments, townhomes with moderate amount of small to mid sized retail. Example: The Triangle.

Mostly houses with some small apartments, retail and offices. Examples: Area around 43rd and Duval (Hyde Park Grill) or Rosedale near Medical Parkway (Draught House).

(Low Density) Large lot single family homes with no commercial or retail.  
Example: Single family homes like those on Shoal Creek Boulevard.

answered question  
skipped question



Traffic generated by development can range from high to low, and can create particular problems locally, such as cut-through traffic (traffic cutting through neighborhood streets to avoid busy thoroughfares). Please indicate how much you think traffic could affect you:

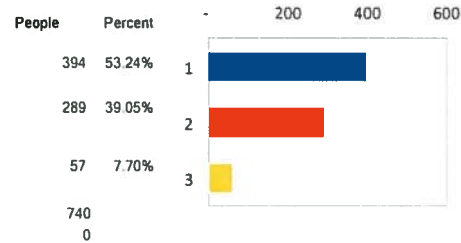
Answer Options

A lot (examples: cut through traffic, unable to leave neighborhood)

Some (example: streets you normally use would become busier)

Little or none (examples: you would walk and vehicle congestion won't affect you, or you live far enough away, or you don't travel the 45th/Bull Creek Road area by car)

answered question  
skipped question





Considering your view of the potential effect of traffic on you and your area, if there is commercial development, what kind would prefer to see or could "live with":

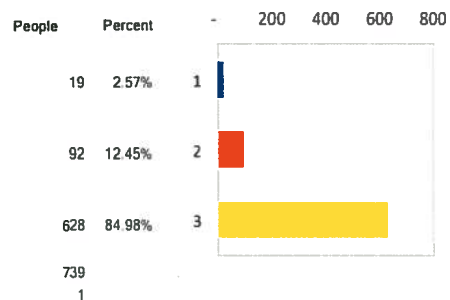
Answer Options

High traffic commercial development with businesses such as box stores like Home Depot and Target, grocery "superstores", drive-throughs for gas stations, banks, Starbucks

Moderate-size businesses (like Randalls in Tarrytown)

Small businesses such as bakeries, restaurants, coffee shops, small to medium grocery stores (such as Russell's Bakery on Balcones or Sprouts).

answered question  
skipped question



There are approximately 30 acres (about 40% of the total space) of potential high-quality greenspace, including the area along Shoal Creek, the grove of large live oaks, and a meadow that produces lots of wildflowers. Please indicate how strongly you prefer that urban greenspace be a part of the development plan.

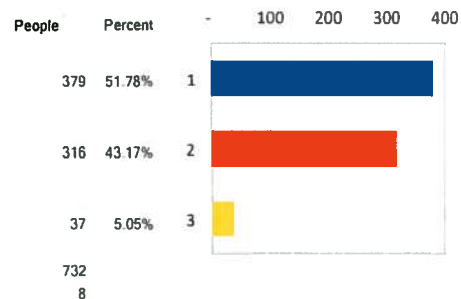
Answer Options

The 30 acres mentioned will not be enough; more should be included in a development plan

The 30 acres mentioned should be preserved and will be enough

The 30 acres mentioned is more than needed and might interfere with development

answered question  
skipped question



Are you in favor of a bridge being built across Shoal Creek to enable access from Shoal Creek Boulevard?

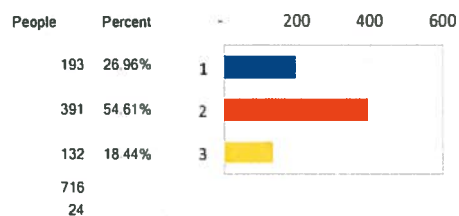
Answer Options

Vehicle and pedestrian

Pedestrian only

No bridge

answered question  
skipped question



What are or would be your preferred uses of the property (check all that apply)?

Answer Options

Shopping

Riding bikes

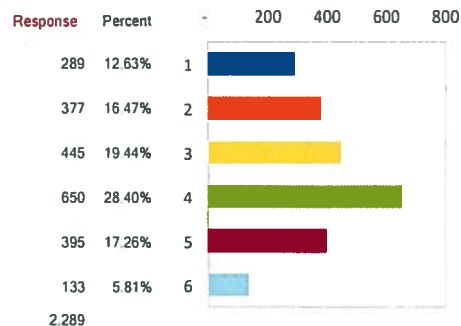
Hiking

Walking

Taking dogs for an off-leash romp near Shoal Creek

Other (please specify)

answered question



### How long have you lived in your current residence? (optional)

#### Answer Options

less than one year

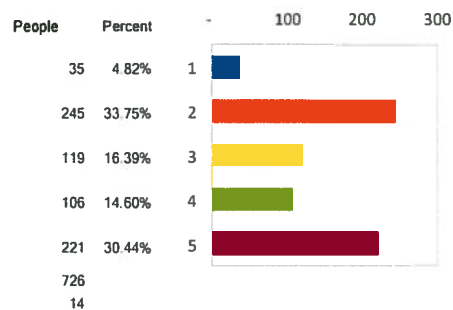
1 - 5 years

6 - 10 years

10 - 15 years

more than 15 years

answered question  
skipped question



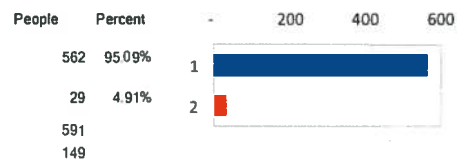
### Do you own or rent? (optional)

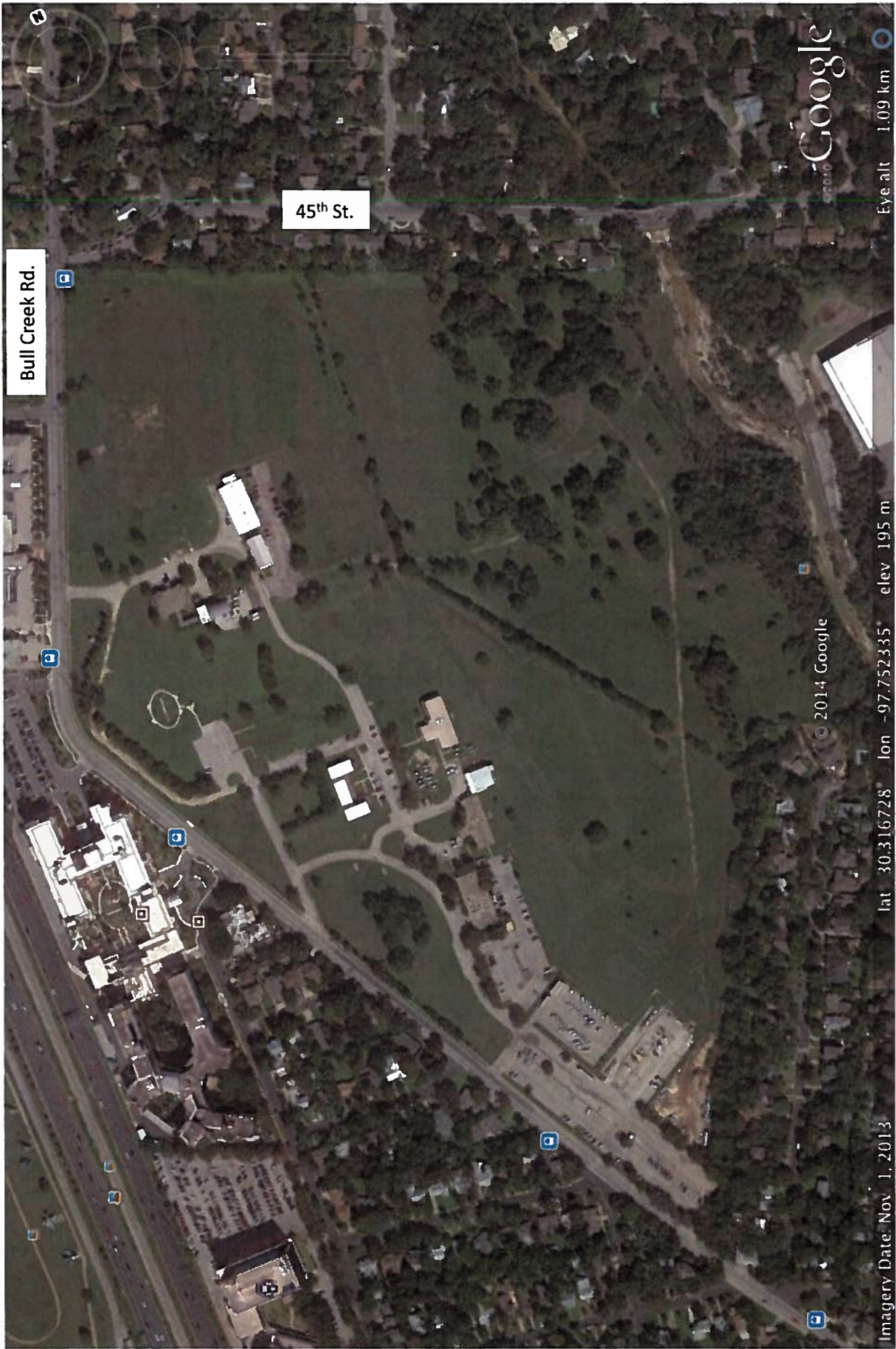
#### Answer Options

Own

Rent

answered question  
skipped question





## Design Principles for Shoal Creek Fields

---

The Bull Creek Road Coalition (Coalition) consists of seven Neighborhood Associations: Ridgelea, Rosedale, Oakmont Heights, Allandale, Bryker Woods, Highland Park West/Balcones Area and Westminster Manor, which together represent over 7,500 households.

The Coalition embraces and encourages responsible development of the State Land consistent with the Imagine Austin plan. The Coalition is committed to realizing the following Design Principles for any development on Shoal Creek Fields. We view this as a living document to be updated as appropriate.

### **A vision for integrated development**

- The design and development team will work with all the stakeholders to create a uniquely Austin place that will be accepted by its neighbors while creating lasting value for the citizens of Texas.
- The design should incorporate a “Community Common” that creates identity, value and memorability
- The design acknowledges value of parks, plazas, landscaping, and natural areas and respects the natural elements found there.
- Innovative, high quality, and appropriately scaled design that respects the City’s standards for pedestrian, bicycle, and transit connectivity

### **Respect the site**

- Recognize, preserve and enhance the natural elements on the site: the creek, fields, native plants and large trees
- Embrace Shoal Creek as it is a defining natural element and a major floodway; new development provides the opportunity to restore Shoal Creek to a live, flowing creek while controlling flooding potential with well-designed, appropriate flood controls, including in the plan the assurance that any structures are appropriate to the site, and will be maintained properly into the future.
- Historic site – in the 19<sup>th</sup> century, the Deaf Dumb & Blind School for Negro Orphans was located here. The archaeological survey required by State law should be early in the process and be used to inform any development plans.

### **Great urban design – focused on people**

- Create a varied urban grid of boulevards, streets and alleys to encourage development for a wide range of uses including commercial, residential, and professional.
- Focus the grid and commercial uses on a “Community Common” the place that creates identity, value, and memorability.
- Create a vibrant pedestrian, bicycle, and transit-friendly streetscape along Bull Creek Road, composed of a physical frontage of buildings, minimal street-accessible parking, generous sidewalk space, thoughtfully integrated landscaping, street lighting, and street furniture
- Limit presence of cars in public area; the substantial part of parking for commercial and residential uses should be in parking garages or in alleys in less densely developed areas.



## **Design Principles for Shoal Creek Fields**

---

### **Emphasis on creating walkable, bikeable streets and trails that integrate the community**

- Design realizes ease of access by public transportation, walking & bicycling from surrounding neighborhoods is important. The same principle of pedestrian priority should apply within the site as well.
- Generous sidewalks, minimal street accessible parking
- Incorporate an extension of the Shoal Creek hike and bike trail all the way to 45<sup>th</sup> Street as an integral part of the transportation and recreational infrastructure.
- Include a pedestrian and bike connection across Shoal Creek

### **Traffic mitigation**

- Increased traffic is the #1 concern expressed by surrounding residents; traffic is already a problem at the intersection of 45<sup>th</sup> and Bull Creek Road at peak hours.
- Work with surrounding neighborhoods – especially those immediately adjacent – to develop and implement coordinated pedestrian and traffic calming measures to both discourage and mitigate new cut through traffic.

### **A design that is compatible and integrated with the surrounding development patterns**

- Connect and integrate in all possible ways with the city fabric on all sides – homes to north and south, creek to east – without high walls and with generous native landscaping, setbacks and view corridors
- Seek to do no harm to surrounding single family neighborhoods
- Respect the scale of the edges of the site
- Build four-sided architecture
- Use down lighting and other techniques to avoid light pollution
- Mitigate noise impacts with the goal of limiting noise levels

### **Sustainable design: meet or exceed recognized sustainable design standards, consistent with the Congress of New Urbanism charter**

- LEED Silver certified for Neighborhood Design (LEED-ND) for the overall urban design
- SITES for landscape design, construction and maintenance
- LEED Silver certified or Austin Energy Green Building 4-5 Star rating for buildings

### **Public/community input during all stages and phases of development**

- Good design happens through good process that involves all the stakeholders
- State lands are owned by the people of Texas and the peoples' business should be conducted in public

### **Expert design team with successful urban infill experience**

- The design of Shoal Creek Fields' development in its entirety will be facilitated by an integrated design team of architects, landscape architects and engineers
- The design team will have proven and lauded experience in realizing high quality, neighborhood-friendly, ecologically sensitive urban design

**Sirwaitis, Sherri**

---

**From:** Elizabeth [REDACTED]  
**Sent:** Monday, September 26, 2016 9:20 AM  
**To:** Sirwaitis, Sherri  
**Subject:** The GROVE

The intersection at 45 TH and Bull Creek is one block away from the entrance ramp to MoPac. It a major feeder for work force commuters. I travel this intersection regularly and at Rush Hour times it is MAXXED out. Long traffic lines to get through the light.

Adding another 1,900 vehicles is crazy.

Affordable housing in central Austin is a huge dilemma . The Grove developer has offered very few units for affordable housing. Their goal is high end housing and retail And business space. These all put the most money in their pockets. Green space and parklands is one of the Jewels of living in Austin. This development is Surrounded by existing residential homes. This not downtown Austin where people Prefer urban living. PLEASE, protect this tract from over development. Require Green space and parkland!

Thank you for your consideration.

Elizabeth Holt. Pemberton Heights neighborhood

Sent from my iPad

**Sirwaitis, Sherri**

---

**From:** Guernsey, Greg  
**Sent:** Monday, September 26, 2016 11:02 AM  
**To:** Sirwaitis, Sherri; Linseisen, Andrew; James, Scott; Bollich, Eric  
**Cc:** Rousselin, Jorge; Derr, Gordon; Spillar, Rob; Rusthoven, Jerry  
**Subject:** FW: The Grove & 2627 W. 45th Street Petition(s)

FYI

---

**From:** Ryder Jeanes [mailto:rjeanes@theretailconnection.net]  
**Sent:** Monday, September 26, 2016 10:54 AM  
**To:** Guernsey, Greg; Rusthoven, Jerry  
**Cc:** Catherine Jeanes [catcaroom@gmail.com]  
**Subject:** The Grove & 2627 W. 45th Street Petition(s)

Greg & Jerry:

I wanted to thank you for your efforts on this zoning case to date trying to make it a good project for the surrounding residents (my home included). My wife and I have finally worked out a resolution with ARG that we believe will sufficiently addresses our issues with the project and we no longer are going to oppose this zoning case.

To fulfill part of our obligations on working out these issues, we are hereby giving you notice to request that our names be considered removed from all petitions having to do with the Grove PUD zoning case, or any petition that is the basis for Cause No. D-1-GN-16-001762 ([hyperlink to this Cause](#)).

Thanks for your work down at the city staying into the wee hours of the night on these cases. I hope that next time we all have correspondence on a project, it will be with a much easier and much less disputed case! I know you guys do your best to maintain the quality and character that makes our city one that is drawing all these new residents here in the first place. We appreciate all that effort you put into your jobs because they aren't easy or adequately appreciate I think.

Sincerely,

Ryder & Cat Jeanes  
2629 W. 45<sup>th</sup> Street  
Austin, TX 78731

**Ryder Jeanes**  
Senior Vice President | Austin

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

rjeanes@theretailconnection.net  
www.theretailconnection.net



**AMENDMENT PACKAGE #1: AFFORDABILITY & MOBILITY****Concerns:**

- **Affordability.** That the current proposal does not provide an adequate level of affordable housing and is not balanced enough toward residential in general.
- **Mobility.** That the current proposal is sized toward being a large town center, or nearly a regional center (rather than a neighborhood center), which will generate too much congestion for the area.

**Amendment Package #1 Goals:**

- To re-balance the proposal toward a plan that has higher levels of affordable housing units, higher levels of residential units, a lower, neighborhood-sized level of office and retail, and less congestion.

Provision		Current Proposal	CM Pool Proposal	Rationale
<b><u>Strategy #1: Re-Balance Toward Increased Affordability &amp; Better Mobility</u></b> <b><u>Policy Tools: Trip Cap, Use Caps</u></b>				
<b>Traffic Count (Trip Cap)</b>	23,969 unadjusted total trips/day	18,000 unadjusted total trips/day	<i>The traffic count ultimately sets the maximum level of intensity for the development. It is the overall 'cap' within which the applicant can allocate what they want to build (how much goes to residential vs. commercial, etc.). Re-balancing toward an 18,000 unadjusted trip cap would encourage a dense mixed-use development that serves as a neighborhood center rather than a regional destination. This is more consistent with the surrounding neighborhoods, would lessen congestion, and accounts for additional residential units.</i>	
<b>Residential Cap</b>	1,515 units	1,655 units	<i>In order to encourage more residential units, this proposal would allow the applicant to develop more residential units, within the limits set by the traffic count (trip cap). The 1,655 unit number is calculated by finding an estimated per-unit count for the 250,000 additional square feet recommended by Zoning &amp; Platting Commission (roughly 1,800 per unit).</i>	
<b>Office &amp; Retail Caps</b>	<u>Office Cap:</u> 210,000 square feet  <u>Retail Cap:</u> 150,000 square feet	<u>Office Cap:</u> 115,000 square feet  <u>Retail Cap:</u> 100,000 square feet	<i>Office/retail appears to be more attractive to the applicant than residential. Given this dynamic, the applicant may choose to allot more of his entitlements to office/retail uses, rather than residential uses. In order to encourage more residential units, this would lower the limit on the amount of office/retail allowed on the site. It would also encourage more affordability, since affordable units are calculated as a percentage of overall residential units.</i>	
<b>Retaining 45th Street Properties as Homes</b>	Remove homes, extend Jackson Avenue through the properties as a collector street.	Retain both properties as homes.	<i>Under the current proposal, 2627 W. 45th St. and 2625 W. 45th St. are both proposed to be removed in order to extend Jackson Avenue through to 45th Street. With the re-balanced trip count, there is no need for this connection.</i>	

## (Amendment Package #1: Affordability &amp; Mobility Continued)

Provision	Current Proposal	CM Pool Proposal	Rationale
<b>(Strategy #1 Continued)</b>			
<b>Bike Lane</b>	Current proposal includes only a northbound shared-use path on Grove property.  Applicant has submitted a concept plan restoring the northbound bicycle lane on Bull Creek.	Northbound bicycle lane on Bull Creek Road that connects to Bicycle Master Plan included in plan.	<i>The lower traffic counts should allow the intersection of 45th Street and Bull Creek to function better. The better functioning of this intersection may make it possible to amend the required improvements at that intersection to provide the space needed for a northbound bike lane.</i>
<b>Strategy #2: Re-Balance Toward Imagine Austin Neighborhood Center</b> <b>Policy Tool: Single-Tenant Square Footage Cap</b>			
<b>Maximum Square Footage for a Single Retail Tenant</b>	47,500 square feet	35,000 square feet	<p><i>This single-tenant requirement sets the maximum for any individual tenant's space. The current single-tenant maximum (47,500 square feet) is large enough to serve as a regional traffic generator, raising the number of trips. Re-balancing this to a more reasonable maximum (35,000 square feet) will provide for retail development that is more 'Neighborhood Center' in size and reduce the number of potential trips for any individual retail tenant.</i></p> <p><i>For context, the applicant's traffic impact analysis identifies the maximum size for a supermarket on their site as 35,000 square feet. This is roughly the same size at the Randalls on 35th Street, according to TCAD.</i></p>
<b>Strategy #3: Adding Height to Achieve Affordability</b> <b>Policy Tool: Height Requirements</b>			
<b>Adding Height on Tracts F/G</b>	40-foot maximum	60-foot maximum 100-foot setback for this height level from western property line on Tract F.	<i>More height allows for more residential units on these tracts, facilitating more affordable housing (and potentially more street frontage for the Signature Park). The setback provides compatibility with the surrounding area due to the increased height.</i>



## (Amendment Package #1: Affordability &amp; Mobility Continued)

Provision	Current Proposal	CM Pool Proposal	Rationale
<b>Strategy #4: Increasing Number of Affordable Housing Units</b> <b>Policy Tool: Affordable Housing Provisions</b>			
<b>Increasing Affordable Housing</b>	<p><u>Ownership:</u> 5% of total ownership units at 80% median family income (in perpetuity)</p> <p><u>Rental:</u> 10% of total rental units at 60% median family income (40 years)</p> <p><i>Estimated affordable unit count = 108 units (36 owner, 72 rental)</i></p>	<p><u>Ownership:</u> 7.5% of total ownership units at 80% median family income (in perpetuity)</p> <p><u>Rental:</u> 15% of total rental units at 60% median family income (40 years)</p> <p><i>Estimated affordable unit count = 162 units (54 owner, 108 rental)</i></p>	<p>The current proposal mirrors Tier 3 requirements for affordable housing, which provide for 5% of density bonus area square footage for affordable ownership opportunities and 10% for rental. The current proposal provides for 5% ownership opportunities and 10% rental opportunities – though it is calculated according to the number of units, as opposed to square footage. For context, the SMART Housing ordinance requires 5% affordable housing units within the urban core.</p> <p>CM Pool's proposal would be to achieve more abundant affordable housing by increasing each of those levels by 50%.</p> <p>This will provide more affordable units in a high opportunity area and bring the amount closer to the 180 units of affordable housing originally proposed by ARG Bull Creek and presented to the community.</p> <p>(Note: the estimated affordable unit counts included to the left are based on a 1,443 unit count total (721 ownership units and 722 rental units). The 1,443 unit count is based on the applicant's current proposal, as confirmed by city staff. The ownership/rental breakdowns are based on the percent figures. Additionally, To the extent that other policies included in CM Pool's proposal increase the amount of residential units included in this PUD, it would also increase the estimated affordable unit count under CM Pool's proposal.)</p>

**AMENDMENT PACKAGE #2: PARKS****Concerns:**

- That the proposal does not provide enough parkland to serve both the new and existing residents and that it cedes control over programming in the public parks to the applicant.

**Amendment Package #2 Goals:**

- Provide quality public parkland and retain Parks and Recreation Department (PARC) control over programming in public parkland.

Provision	Current Proposal	CM Pool Proposal	Rationale
<b>Strategy: Provide Quality Parkland</b> <b>Policy Tools: Parkland Requirements, Parks Agreement, Sound Limits</b>			
<b>Parkland Dedication</b>	14.13 acres total	15.88 acres total	<p>Dense urban developments such as this proposal often have a greater need for community parkland.</p> <p>(Note: to put these figures into context, under the new Parkland Dedication Ordinance that Council passed earlier this year, the calculation for full parkland (ie. without accepting any fee in-lieu) would be over 24 acres.)</p>
<b>Public Parkland Agreement</b>	Applicant retains control over special events scheduling and permitting.	PARC retains control over special events scheduling and permitting.	This parkland is public parkland. As a result, the Parks and Recreation Department (PARC) should retain control over special events scheduling and permitting.
<b>Amplified Sound Limits</b>	10:30 PM time limit for amplified sound.	9 PM time limit for amplified sound.	<p>Events at the park should respect the proximity to homes in the development and in the surrounding area.</p> <p>(Note: Code allows amplified sound in a public recreation area up to 85 decibels until 10 PM and up to 80 decibels from 10 PM to 2 AM (§8-1-41 through §8-1-52) and also includes restrictions regarding proximity to residential properties in other parts of the code (§9-2-14).)</p>

**AMENDMENT PACKAGE #3: SENIOR HOUSING**

**Concerns:**

- That the current proposal does not include provisions providing affordable housing for our senior population.

**Amendment Package #3 Goals:**

- Provide affordable housing for seniors at this site.

Provision	Current Proposal	CM Pool Proposal	Rationale
<b>Strategy: Include Senior Housing</b> <b>Policy Tools: Affordable Housing Provisions</b>			
<b>Include Affordable Senior Housing</b>	No provision.	Include affordable housing that meets and complies with requirements for housing 'older persons,' as the term is used in 42 U.S.C. 3607.	<i>Under the Fair Housing Act, housing for older persons is exempt from familial status protections if it meets certain criteria. "Familial status" means a person that lives with/have custody of an individual less than 18 years old. The exemption is necessary because otherwise a housing provider must allow a person with a child to live at the property.</i>

### **ADDITIONAL AMENDMENTS UNDER CONSIDERATION**

*Council Member Pool's office is developing the following amendments for discussion before Council at second and third reading :*

#### **Adopting the goal recommended by Shoal Creek Conservancy that no new net stormwater be discharged into Shoal Creek.**

- Concern: That the current proposal will contribute to increased stormwater discharge which will worsen flooding risks in the area.
- Goal: Adopt a goal of no new net stormwater for staff to consider when determining what types of flood mitigation strategies to require during site plan review.

#### **Explore protections for Idlewild residents due to groundwater flooding issues from The Grove site.**

- Concern: Idlewild residents experience groundwater flooding and the current proposal may not include protections against continued flooding issues in this area.
- Goal: Explore groundwater mitigation tools and legal strategies to provide the needed protections.

#### **Provide protections for construction workers at The Grove.**

- Concern: That the existing plan does not provide sufficient protections for construction workers.
- Goal: Establish fair practices for construction workers on this project.
  - Potentially including, but not limited to: living wage, OSHA-10 safety training, worker's compensation insurance, OSHA-30 for safety supervisors, local hiring goals, and third-party monitoring of these standards.

#### **Provide an alley behind the 45th Street homes.**

- Concern: That increased congestion will make it more difficult for the individuals who live on 45th Street to exit their driveways.
- Goal: Provide an alternative to the driveways on 45th Street.

#### **Provide a formal historical/archeological investigation of The Grove tract before construction.**

- Concern: The Grove site was previously the site of the Texas School for Deaf, Dumb, and Blind Colored Youth. The Travis County Historical Commission would like to ensure that this investigation takes place due to the historical significance of the site.
- Goal: Save any potential historical features and artifacts prior to construction.

Council Member Gallo Motion Sheet: Agenda Item No. 73  
 C814-2015-0074 – The Grove at Shoal Creek PUD  
 Council Meeting: September 22, 2016

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	<p>Modify minimum setback to Bull Creek Road to 25 feet in Tract D and uses adjacent to Bull Creek Road in Tract D shall meet SF-3 development standards</p> <p>Apply to any building on Tract D that is within 75 feet of Bull Creek Road.</p> <ol style="list-style-type: none"> <li>1. Live-work uses are prohibited</li> <li>2. Minimum building setback from Bull Creek Road ROW shall be 25 feet. Porches and patios shall be permitted to encroach into the setback up to 6 feet.</li> <li>3. Maximum building height shall be 35 feet.</li> <li>4. All buildings facing Bull Creek Road shall have a maximum of two attached residential units.</li> <li>5. Minimum setback from Bull Creek Road ROW for a third story shall be 35 feet if the height of the building exceeds 30 feet.</li> <li>6. The minimum building setback from Bull Creek Road ROW shall be increased to 28 feet for a minimum of 50% of the total frontage.</li> <li>7. Garages are not permitted to face Bull Creek Road.</li> <li>8. A minimum of 50% of the units along Bull Creek Road shall have a porch that faces the Bull Creek Road ROW.</li> </ol>	<p><u>Amendment 1:</u> Apply the following restrictions to any building on Tract D that is within 75 feet of Bull Creek Road:</p> <ol style="list-style-type: none"> <li>a. Live-work uses are prohibited</li> <li>b. Minimum building setback from Bull Creek Road ROW shall be 25 feet. Porches and patios shall be permitted to encroach into the setback up to 6 feet.</li> <li>c. Maximum building height shall be 35 feet.</li> <li>d. All buildings facing Bull Creek Road shall have a maximum of two attached residential units.</li> <li>e. Minimum setback from Bull Creek Road ROW for a third story shall be 35 feet if the height of the building exceeds 30 feet.</li> <li>f. The minimum building setback from Bull Creek Road ROW shall be increased to 28 feet for a minimum of 50% of the total frontage.</li> <li>g. Garages are not permitted to face Bull Creek Road.</li> <li>h. A minimum of 50% of the units along Bull Creek Road shall have a porch that faces the Bull Creek Road ROW.</li> </ol>



Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Require City-approved noise mitigation plan for temporary (construction) and permanent activates on-site	<b>Amendment 2:</b> During construction require property owner to locate construction staging areas for site development 250 feet from the property line or a suitable distance from neighborhoods as determined by City Staff.
Ridgelea NA	Implement a Noise Mitigation Plan to minimize impact to surrounding neighbors during and after construction. The plan should address known high noise generators such as construction staging areas, construction and long-term loading/delivery areas. There should also be reasonable limits on days/hours for outdoor amplified music.	<b>Amendment 3:</b> For this property, increase restrictions in City Code Sections 9-2-3(A)(2) and 9-2-4 of the Code as follows:  a. A person may not make noise or play a musical instrument audible at the property line between 9:00 p.m. and 7:00 a.m. ( <b>Current City Code 10:30pm-7am</b> )  b. A person may not operate sound equipment at a business that produces sound in excess of 80 decibels between 10:00 a.m. and 2:00 a.m., as measured at the property line of the business; ( <b>Current City Code: 85 decibels</b> )
Oakmont Heights	Oakmont Heights has requested ARG to agree not to have amplified sound at any of the commercial/retail establishments after 9pm (just like Central Market on North Lamar). The Oakmont Heights neighborhood is concerned that if it is ultimately based on a decibel allowance at a certain location, that it may not really resolve the issue.	
45th Street Residents	Include noise control plan in the PUD ordinance restricts hours of amplified noise from businesses and Signature Park events similar to the informal agreement between Rosedale and Central Market. Do not allow the developer to retain management over the Signature Park, which would allow ARG or future owners to profit from renting out the City's park for private events (parties, concerts, movies). During construction, the noise plan should include provisions regarding staging areas, equipment/generator locations, and timing of major work. (BCRC proposed amendment #6)	
Bull Creek Road Coalition (BCRC)	Modify maximum retail entitlements to 100,000 square feet and maximum size of 30,000 square feet for any single tenant	<b>Amendment 4:</b> Reduce the current maximum size of 47,500 square feet for any single tenant of retail space to a maximum size of 37,500 square feet.
Ridgelea NA	Limit any single retail/restaurant/commercial tenant to a maximum of 30,000 sf and focus commercial spaces on local serving scale businesses that do not generate significant amounts of non-local traffic.	
Oakmont Heights	Generally reduced scale of the development (e.g., reductions to retail and especially commercial)	

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Require 20 feet wide drainage easement full length of Tract E adjacent to Idlewild properties and maintenance to effective berm/swale within drainage easement	<p><b>Amendment 5:</b> The property owner is required to have a storm sewer system and street system designed to capture and convey the 100 year storm event.</p> <p><b>Amendment 6:</b> For the portion of the property adjacent to the properties along Idlewild Road add the following requirements:</p> <p>a. The 35 feet no-build setback line, parallel to Idlewild Road, is required to be a high point establishing that all property west of the 35 feet no-build line will drain into the property's internal storm sewer system and away from properties along Idlewild Road.</p> <p>b. The area east of the 35 feet no-build setback line is prohibited to have any development other than landscaping and recreational improvements ordinarily found in a backyard (such as playscapes, pools, decks, gardens, fences etc.) and runoff in this eastern area may not exceed the current undeveloped runoff amount.</p> <p>c. Water runoff from the roofs of buildings is required to be captured and drained into the property's internal storm sewer and street systems.</p> <p>d. The property owner is required to install and maintain a French drain system within 10 feet west of the property line, parallel to Idlewild Road, to reduce groundwater and tie the French drain to connect directly into the pond discharge pipe. The French drain system will be maintained by the applicant or future Grove property associations.</p> <p>e. All of the above will be included in the PUD Ordinance, so that it can be enforced by the City.</p>
Ridgelea NA	Install and maintain an effective drainage berm(s) and swale(s) in the no build zone behind Idlewild to prevent flooding and drainage problems in the neighborhood.	
Ridgelea NA	Complete the planned upgrades to Bull Creek & 45th intersection by Jan. 2019 instead of the proposed 2024 date.	<p><b>Amendment 7:</b> Prior to the permitting of any portions of the development that exceed the Phase 1 trip limit of 2,000 daily vehicle trips the property owner is required to complete the intersection improvements for the Bull Creek and 45th Street intersection.</p> <p><b>Amendment 8:</b> The property owner is required to start the construction of the planned improvements for the Bull Creek and 45th intersection no later than six months after the City of Austin has approved the final plans for the intersection.</p>

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Fund and implement transportation demand management program requirement to target 15% reduction in vehicle trips and encourage transit/multi-modal trips	<b>Amendment 9:</b> Property owner is required to develop and implement a Transportation Demand Management (TDM) Plan to reduce trips to the site. The TDM Plan should:
Ridgelea NA	Require a comprehensive and permanent Transportation Demand Management (TDM) program that encourages residents and visitors to reduce vehicular trips.	<ul style="list-style-type: none"> <li>a. Include flexible results based funding and specific trip reduction targets.</li> <li>b. Include targets aimed at reducing the TIA trip generation figures by at least 20%.</li> <li>c. Require property owner to implement a monitoring and reporting plan to assess the effectiveness of the TDM Plan to address any deficiencies identified through the reporting and monitoring process.</li> <li>d. Be reviewed and recommended by Austin Transportation Department.</li> </ul>
45th Street Residents	Reduce the overall allowed trips through reduced commercial entitlements in addition to a Transportation Demand Management Program. (BCRC proposed amendments #1,2,3,5,7,8,&9)	
Bull Creek Road Coalition (BCRC)	Increase required credited parkland acres to 16.88 which includes locating 2 acre flex space and 4 additional acres	<b>Amendment 10:</b> The property owner is subject to all regulations and requirements detailed in the revised Parks Plan Exhibit dated September 21, 2016 which requires, among other things, the following:
Ridgelea NA	Increase usable public space at the development by adding a community pool to increase community benefits and reduce vehicle trips by providing full range of park amenities within walking and biking distance.	<ul style="list-style-type: none"> <li>a. a minimum of 14.13 credited parkland acres (increased by 1.25 acres from 12.88 to 14.13 acres);</li> </ul>
Ridgelea NA	Increase usable public space by approximately two (2) additional acres to accommodate an unlit level, open playing field area.	<ul style="list-style-type: none"> <li>b. the Signature Park will be a minimum of 16.25 acres in size (including 5.75 acres of floodplain, CEF, etc.);</li> </ul>
Oakmont Heights	Generally reduced scale of the development (e.g., reductions to retail and especially commercial) and increased parkland. It is particularly important to the Oakmont Heights neighborhood to put a larger amount of parkland on Bull Creek south of 42nd Street in the small pocket park. In addition, some of the Oakmont residents feel the pocket park is going to be completely "captured" by either condos, apartments, or the congregate care facility rather than feel welcoming to the public.	<ul style="list-style-type: none"> <li>c. a minimum of 705 square feet of street frontage for the Signature Park;</li> <li>d. Construct a trail connection between the Signature Park and the existing greenbelt along Jefferson Street as part of the Shoal Creek Trail;</li> <li>e. The Pocket Park shall be designed to have an open character from the street frontage and should avoid landscape or other obstructions that block the public views into the park where it abuts the street;</li> <li>f. Investment of \$750 per residential unit in park development;</li> </ul>
45th Street Residents	Add approximately 4 acres of parkland to the Signature Park and Neighborhood Park to accommodate non-commercialized recreation space desired by neighbors. (BCRC proposed amendment #12)	




Additional Neighborhood Request to be Addressed through Future Council Resolution		
Neighborhood	Neighborhood Request	Council Member Gallo Proposal
Bull Creek Road Coalition (BCRC)	Dedicate \$3 million to off-site traffic mitigation and multi-modal improvements, funded by mix of applicant contribution and tax increment financing	<p>(1) Creation of a Local Traffic Mitigation Fund using a portion of the incremental tax generated from the development's property taxes. The Fund will be used in the surrounding neighborhoods to pay for both immediate and long term improvements including multi-modal solutions and traffic mitigation and calming solutions. In creating this fund, 100% of the total City property taxes generated by The Grove project should be allocated to the Local Traffic Mitigation Fund until \$6 million is payed into the Fund and then continue forward at 50% allocation until 2037. The Fund would be spent on improvements which would be prioritized jointly by the neighborhoods and the City of Austin Transportation and Public Works Departments. (CM Gallo working on separate Resolution to create)</p> <p>(2) Require applicant to provide an additional \$100,000 to the neighborhoods (in addition to the \$100,000 already committed through discussions with Friends of the Grove) as "seed money" that can be added to the Local Traffic Mitigation Fund or the City NPP matching funds for additional transportation improvements.</p>
Ridgelea NA	Implement traffic Mitigation/Calming for Bull Creek Road, Oakmont, Allandale and Ridgelea to slow traffic and improve safety.	
Oakmont Heights	Oakmont Heights has asked for ARG to set aside funds for traffic calming measures to both prevent and slow cut-through traffic in the Oakmont neighborhood.	
Oakmont Heights	Concerns about traffic increases at 45th and Bull Creek, all along Jackson, along Bull Creek as it borders the Oakmont Heights neighborhood, and at Jackson and 35th.	



## MEMORANDUM

**TO:** Greg Guernsey, Director  
Planning and Zoning Department

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

**DATE:** October 7, 2016

**SUBJECT:** Review of Transportation Demand Management (TDM) Program for the  
Grove at Shoal Creek; Developing an Accountability Contract

---

Austin Transportation Department staff have reviewed the Transportation Demand Management (TDM) Plan for the Grove at Shoal Creek. We are encouraged by the level of detail and comprehensiveness of the list of TDM strategies that the project is proposing. A TDM plan without accountability, however, is not a viable solution. We need to negotiate with the developer an accountability contract that would require deployment of the plan, on-going monitoring of outcomes and an escalation of requirements clause if the development fails to achieve the goals. The plan should clearly identify base line assumptions and aggressive goals for trip reduction.

After review of the TDM plan, transportation staff offer the following initial observations and comments:

- The document mentions 10%, 27%, and 34% reduction of daily trips. A 34% reduction will be an aggressive goal, but we support the project to achieve this aggressive trip reduction goal. In developing the accountability contract, we suggest that the baseline trip count be the unadjusted raw ITE trip generation rates. We have already discounted these rates to account for the mixed use nature of the proposed development. This decision by the developer to go mixed use can be viewed as an initial TDM element. This, in coordination with aggressive trip reduction goals would encourage the developer to be thoughtful about the mix of actual businesses and land uses placed on the site.

Alternatively, we would recommend reducing the trip reduction goals if the base trip production characteristics for analysis are determined to be the level documented in the Transportation Impact Analysis (TIA).

Additional gradations of the goals should also be provided and displayed as both a percentage reduction and an actual trip count.

- Consider removing the second section of trips and reduction rates (where you include pass-by trips). That section is confusing and open to incorrect interpretation.
- The document highlights many progressive TDM strategies that we support. We observe many of the strategies identified with a "could" qualifying language. We think it

*Delivering a safe, reliable, and sustainable transportation system  
that enhances the environment and economic strength of the region.*



is reasonable for the project to maintain flexibility in the strategies they implement. As part of the accountability contract negotiations, some of these strategies should be expected to become mandatory rather than voluntary. Flexibility will need to be included in both the TDM Plan and the accountability contract to allow the development to implement and take credit for TDM measures that may not yet be envisioned or available here in Austin. It is proposed that the accountability contract be constructed in such a way that the developer would implement a certain range of measures and then verify the trip making characteristics of the development. If the developer has met the trip reduction goal, then he/she could continue with development and add additional elements to meet the next horizon goal. If the development cannot demonstrate attainment of a specific goal, then the developer would need to implement additional measures till they came within the required goal. However, the developer would be allowed to build up to the entitlements received at zoning and at site plan. After build out, they would be required to maintain and add additional TDM measures as needed to achieve TDM goals.

- The proposed development has a large residential mix for the project, it may be beneficial to include more residential focused TDM strategies, including: subsidies for public transit, cars here, and bikes here as part of the residential units; incentives for foldable bikes (as many of the existing bus routes are not within a quarter mile walking distance); first/last mile shuttle (as the rapid bus lines are not within a comfortable walking distance);
- The implementation and monitoring program outlined in the report provides a good framework for ensuring effectiveness of the TDM program. We suggest that the vehicle trip data collection, the employee and resident survey, and the annual report be conducted by an independent firm hired by the project but reporting to the City. Example organizations might include Movability (the downtown transportation management association or similar).
- As part of the accountability contract we need to contemplate an entity such as a property owners association to provide long-term responsibility for achieving the goals of the TDM plan. Trip reduction goals will necessarily need to carry forward, should portions of the property be released or sold.
- As part of this project, ATD will serve as the appropriate review entity for the plan and on-going monitoring. We would also suggest ATD staff conduct a site visit to observe infrastructure TDM strategies (e.g. allocation of car share spaces, designated carpool and vanpool spaces, etc.).
- The document does not articulate future scenarios:
  - Will the project need to submit an annual report indefinitely? We suggest that after completion of the development and if the project can demonstrate achievement of the trip reduction goals for some number of continuous years, then the plan will be assumed complete. The theory here is that at some point in the future, this project does not stand out from the surrounding development because the surrounding uses have normalized with the development, with similar trip making attributes and reduction rates.
  - If the project cannot meet its stated goals? We suggest that the project has a period of time in which to reach the stated goal (e.g. three years). If, after the

*Delivering a safe, reliable, and sustainable transportation system  
that enhances the environment and economic strength of the region.*

period of time, the project is unable to meet the stated goals, then they can provide a specified amount of funding to the City to implement TDM strategies on their behalf.

- The TDM plan should be active during construction. The surrounding neighborhood has indicated a concern with construction related parking in the neighborhoods. Although there is probably sufficient on-site parking for construction workers, the activity will still impact the traffic conditions on the surrounding roadway. Implementing the TDM plan during construction will require innovative thinking about how to keep personal construction worker vehicles out of the community.

We need to schedule a meeting to discuss a plan for accountability. I am copying Andy Linseisen on this memo to request his help in getting a meeting scheduled.

Please do not hesitate to call me if you would like to discuss this issue further.

Cc: Andrew Linseisen, Acting Assistant Director, Development Services Department  
Gordon Derr, Assistant Director, Austin Transportation Department  
Eric Bollich, Managing Engineer, Austin Transportation Department  
Annick Beaudet, Program Consultant, Austin Transportation Department  
Sherri Sirwaitis, Planner III, Planning and Zoning Department  
Tien-Tien Chan, Principal Planner, Austin Transportation Department

---

---

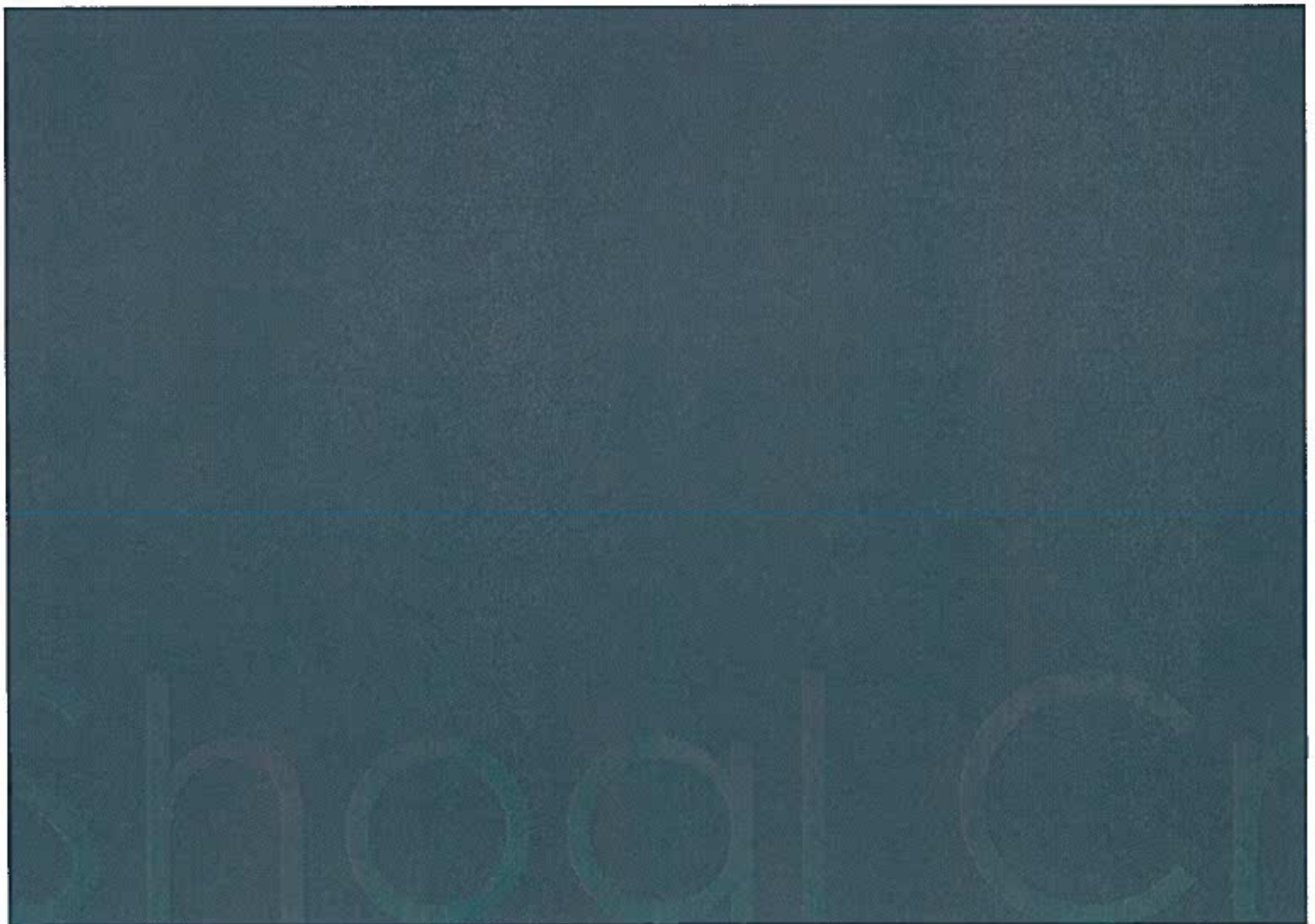
# The Grove at Shoal Creek

Design Guidelines

October 24, 2016

---

---










## Contents

01. Background	Pg. 2
02. Master Plan	Pg. 5
03. Framework	Pg. 11
04. Architecture	Pg. 30
05. Landscape and Open Space	Pg. 37





## 1.0 BACKGROUND

### 1.1 The Site

The site for The Grove at Shoal Creek is an approximate 76-acre parcel in north-central Austin. The property was owned by TxDOT until ARG Bull Creek acquired the site in early 2015 and initiated the planning process that resulted in the Master Plan, Planned Unit Development (PUD) Zoning, and this document.

The Grove at Shoal Creek is surrounded by existing and established Central Austin neighborhoods including Allandale and Shoalmont to the north, Rosedale to the east, Ridgelea and Oakmont Heights to the south, and Westminster and the Post West Austin Apartments to the west. The site is accessed by Bull Creek Road to the west and 45th Street to the North, with the Mopac Freeway located just one block west of the site. There are existing CapMetro bus routes on Bull Creek Road with stops adjacent to the site. There are existing bike lanes on Bull Creek Road which are planned for improvement. The Shoal Creek Trail is also planned to eventually extend up to the project site along Shoal Creek.

Topography on the site falls from west to east, with the west end of the site occupied by existing 1-story office buildings and parking areas as well as relatively flat, undeveloped land. The east end of the site has slightly higher gradients and is dominated by a large grove of heritage oak trees as well as Shoal Creek, which is the site's eastern boundary. About 3.5 acres along Shoal Creek are in the 100-year floodplain.

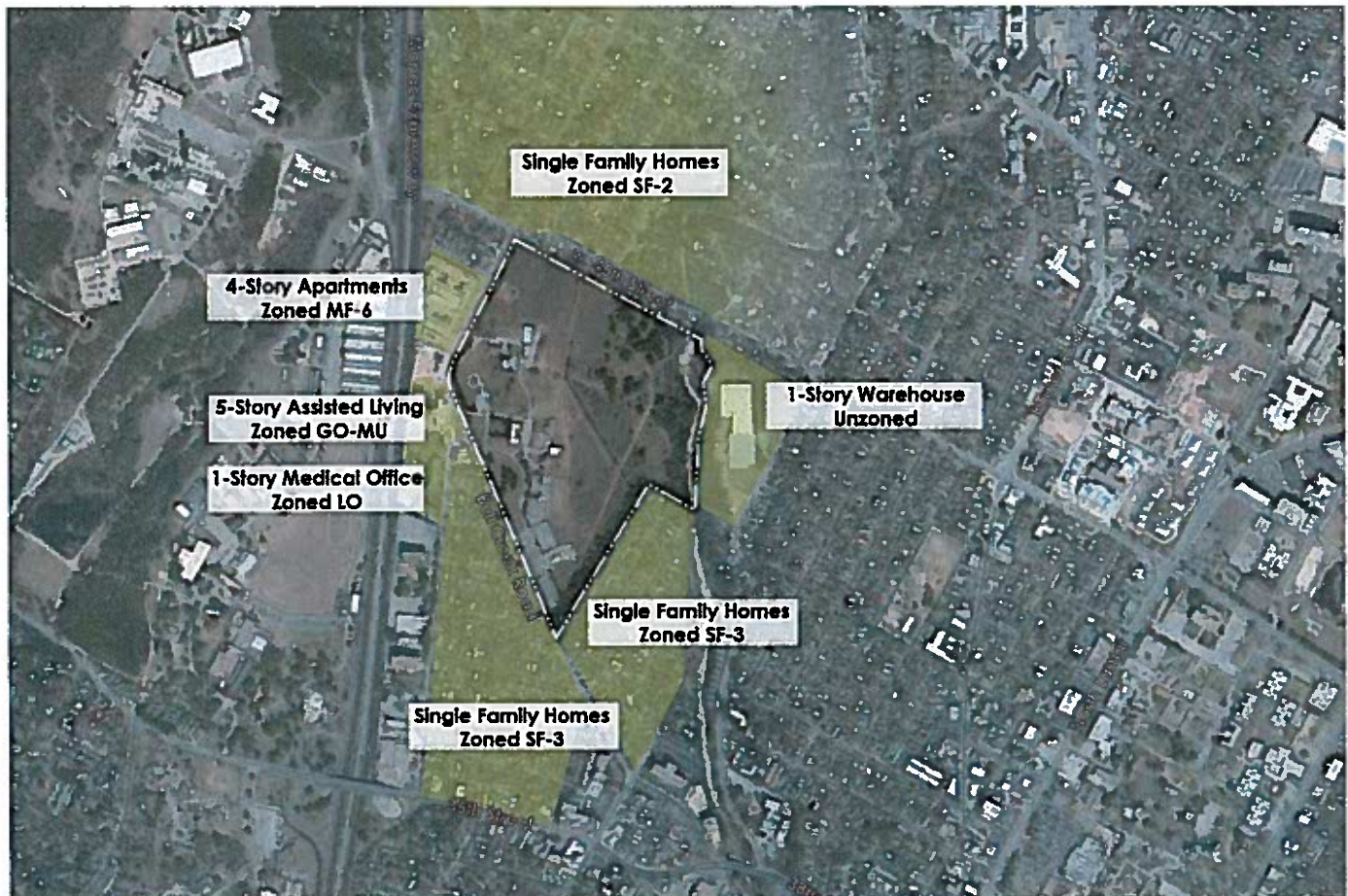


Figure 1.1: Context Map



### 1.2 Project History

ARG Bull Creek has put considerable effort into building a shared vision for The Grove at Shoal Creek through an inclusive and productive process. To achieve that vision, the project team has conducted an energetic community outreach program for The Grove.

The process began in January 2015 by surveying residents in Allandale, Bryker Woods, Highland Park West/Balcones, Oakmont Heights, Ridgelea, Rosedale, and Westminster at two workshops, and also online. Approximately 216 surveys were collected at the workshops, and 488 were taken online for a total of 704 surveys. Using these survey results, the team developed a vision for The Grove that reflects the community's collective vision in terms of its residential and commercial character, open space and the density of the development.

The team also engaged in dozens of formal meetings with various community groups and neighborhood leaders. Among these groups is the Bull Creek Road Coalition, a group formed in 2012 to help craft a vision and voice for sustainable development on the land ARG Bull Creek purchased from the State of Texas in late 2014, as well as the more recently formed Friends of The Grove.

The effort to publicize these meetings, events, and activities has included hundreds of signs and thousands of pieces of direct mail. The team has also maintained a website ([www.TheGroveAtShoalCreek.com](http://www.TheGroveAtShoalCreek.com)).



### 1.3 Using This Document

This document sets forth Design Guidelines for the design of the built environment within The Grove at Shoal Creek and is incorporated as part of the Planned Unit Development with the City of Austin. These guidelines are intended to supplement the zoning provisions of The Grove at Shoal Creek Planned Unit Development (PUD), which was adopted by the City of Austin on XXXX. The Design Guidelines will be administered by the City of Austin, through the Site Development Permit review process, and are subject to the final recommendations of the Traffic Impact Analysis (TIA).

The Design Guidelines are not intended to be prescriptive solutions that dictate a particular style, but rather performance criteria that can encourage diversity, creativity, and innovation within the framework established here. The Design Guidelines are organized into 5 Sections. This, the first Section, provides an introduction to the property and the document. Section 2 provides an overview of the overall vision and PUD Requirements. Section 3 establishes a framework of streets and transportation corridors that will form the structure of the community. This is the foundation off of which Sections 4 and 5 are built, and many of the guidelines in the other Sections are provided in relation to the framework established in Section 3. Section 4 establishes the architectural character of the community that will develop within that framework, and Section 5 establishes the landscape and open space character and establishes guidelines for lighting and signage. The NACTO Urban Street Design Guide was used as a reference in formulating the street designs in these guidelines and may be a useful guide in determining appropriate solutions for conditions not specifically addressed here.

## 2.0 THE PLAN

### 2.1 Vision

The Grove at Shoal Creek is envisioned as a legacy-quality neighborhood and model for innovative mixed-use urban infill development. This vision of community has three primary components: equity, economy, and ecology:



Build Bull Creek as a legacy-quality neighborhood;  
a model for sustainable and innovative mixed-use  
urban infill development.

Figure 2.1: Vision Diagram

### 2.2 Guiding Principles

Based on that vision, the development team for The Grove at Shoal Creek developed the following Guiding Principles for the project. These principals where considered in developing the Master Plan and this document.

**2.2.1** Create an inviting and integrated project that enhances the experience of the site and its surroundings

**2.2.2.** Develop a comprehensive built environment with high-quality parks and open spaces shaped by massing and appropriately scaled to their context

**2.2.3** Establish a vibrant, people-oriented development pattern that promotes connectivity and prioritizes pedestrian and bicycle circulation over cars

**2.2.4** Establish a restorative approach to the development of the site by integrating sustainable strategies and honoring the history and natural character of the land

**2.2.5.** Create an economically viable development model that maximizes the mix of uses and captures the essence of Austin living.

**2.2.6** Shift the conventional interaction between developer and neighborhood to a shared-purpose relationship



## 2.3 Development Districts

The project is composed of two development districts and a number of park and open space elements. The Development District Map below shows the conceptual layout of these districts on the site. For each building or project on the site, the applicant may select the most appropriate district for the desired use. As described in Section 4, the Architectural Design Guidelines for that building will be based on the selected district.

The Development District Map shown here is conceptual in nature and is not intended as a regulating document. Land Use regulations shall be governed by the approved Land Use Plan in the PUD zoning ordinance approved by the city of Austin on XXXX. Each building or project may select the most appropriate district for the desired project if the project is located in a Tract where that district is allowed, as described in Section 2.4.

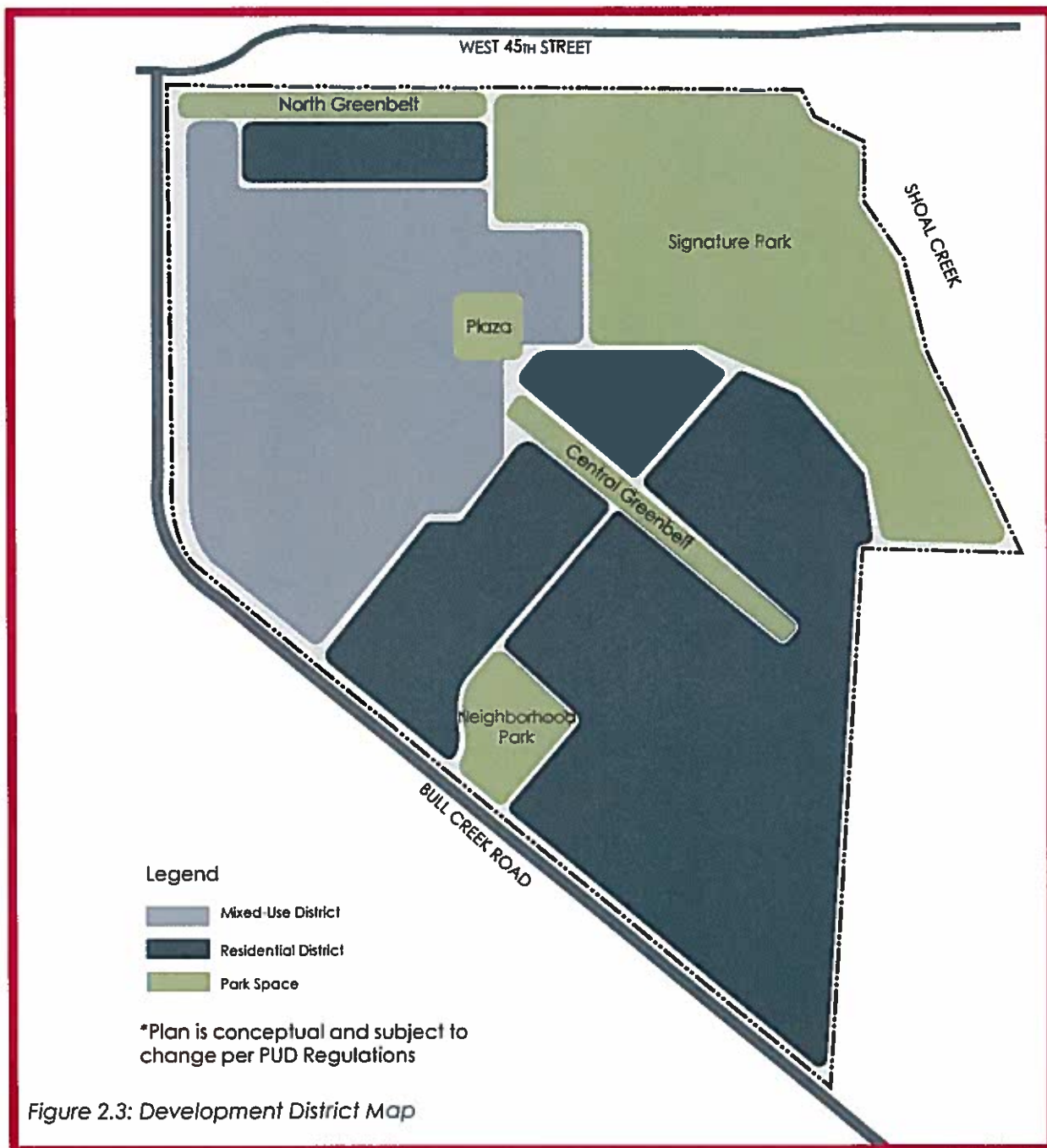


Figure 2.3: Development District Map

### 2.4 Description of Development Districts



**2.4.1 The Mixed-Use District.** The heart of the master plan, this district contains a vibrant mix of uses which may include retail, office, high-density residential, live/work, and/or congregate care. This district is allowed in Tracts B, F, and G of the Land Use Plan.



**2.4.2 The Residential District.** This district contains a mix of for-sale and rental housing products including detached residential, townhomes, row houses, live-work units, stacked flats, and apartments. This district is allowed in all Tracts of the Land Use Plan.



**2.4.3 Parks and Open Space.** The parks and open space component of The Grove at Shoal Creek shall consist, at a minimum, of the Signature Park, Pocket Park, Central Greenbelt, North Greenbelt, and Plaza. Approximate locations and sizes are depicted in Figure 2.3. Park buildings and park structures are permitted in parks and open space.



## 2.5 Planned Unit Development (PUD) Land Use Plan

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

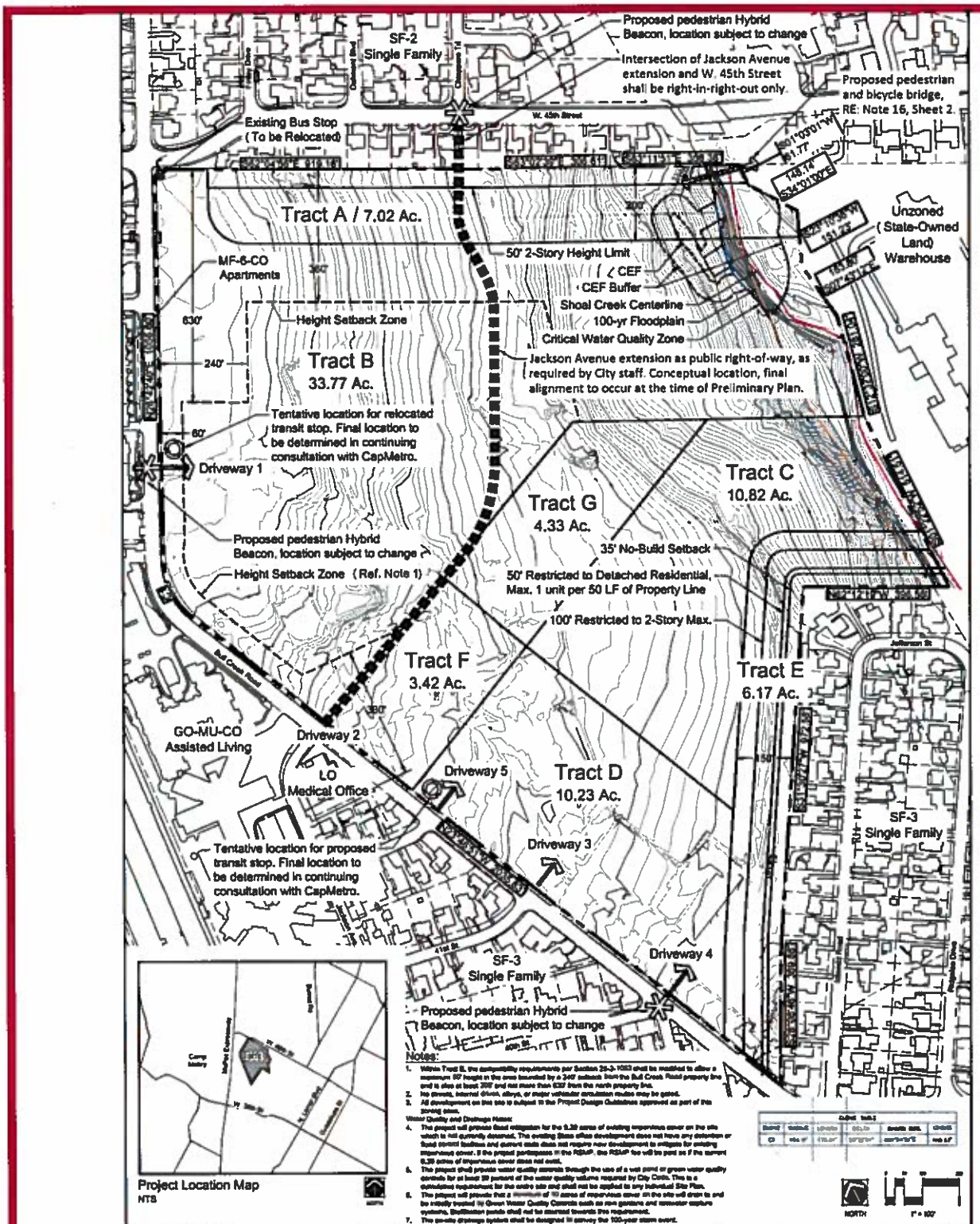


Figure 2.5: PUD Land Use Plan





### 3.0 FRAMEWORK

#### 3.1 Intent

Section 3 of The Grove at Shoal Creek Design Guidelines establishes standards and requirements for the framework of streets, sidewalks, paths, trails, alleys, and other circulation routes. These Framework Elements will organize the site and define not only the site's transportation system, but also some of its most important public spaces and pedestrian environments. The intent of this Section is to:



**3.1.1** Create a basic framework for organizing the site and ensuring that buildings and other elements can relate appropriately to the street to create a cohesive visual identity and attractive street scene;



**3.1.2** Ensure efficient pedestrian, bicycle, and vehicular circulation that is people-oriented, promotes connectivity, and prioritizes pedestrian and bicycles circulation over cars;

**3.1.3** Create a high-quality street environment with street trees and properly scaled roadways and sidewalks;

**3.1.4** Add urbanity to the street by providing opportunities for pedestrian friendly uses within and adjacent to the street;

**3.1.5** Ensure that adequate vehicular parking is accommodated and well integrated into the street environment;



**3.1.6** Provide opportunities for the integration of green infrastructure into the street environment;

**3.1.7** Ensure that The Grove at Shoal Creek is developed as a comprehensive built environment.





### 3.2 Using This Section

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

Jackson Avenue will be a publicly dedicated street within The Grove at Shoal Creek. All other streets in The Grove at Shoal Creek will be privately owned and maintained but permanently accessible to the public. This means there is no public right-of-way, except for Bull Creek Road and Jackson Avenue. Instead, this document defines a "Street Zone" for each street, as well as supplemental "Greenway Zones" in certain instances. These zones establish the area in which the Framework Section sets the design standards. Other Sections of this document will set the Design Standards for spaces and elements outside the Street Zone, and may set standards for how those elements shall relate to the street using the Street Zone as a boundary line.

For the Retail Main Street, Green Streets, Secondary Retail Streets, and Residential Streets, the following additional standards apply:

1. Public access and utility easements (where needed) shall be provided for the entirety of the private street lengths, granting control to the City of Austin of all traffic elements for intersections between public right-of-way and any private streets/driveways within the development.
2. These streets shall be designed to include 50 feet minimum tangent for intersection approaches and a 100 feet minimum centerline radius for horizontal curves. Horizontal geometry for these streets may be varied with approval of the Director.

Dimensions are provided in the roadway sections that follow. These dimensions are labeled as follows:

- Min: Represents the minimum allowable dimension for this feature or space
- Max: Represents the maximum allowable dimension for this feature or space
- Approx: This dimension is approximate and may be modified as needed by the design team

Tree spacing is also provided within the roadway sections. In all areas, tree spacings are meant to represent an average spacing, and this average applies only to the length of the street between intersections. Tree spacing may be regular or irregular as appropriate to the individual design of the street and the limitations of utility locations, driveway locations, existing trees, and other existing or planned obstacles that may interfere with tree placement. Street trees are generally located in a planting zone that is a minimum of 7' wide. The planting zone shall be continuous and located adjacent to the curb. Utility compatible trees may be substituted for shade trees where utility conflicts exist. In some cases, trees may be provided adjacent to the Street Zone where utility and/or driveway conflicts prevent the placement of the tree within the street zone.

Rain gardens and biofiltration facilities are also shown in many of these sections. The feasibility of these features is subject to a number of engineering factors outside of the scope of these Design Guidelines including slope, utility conflicts, etc. While the PUD ordinance requires a certain amount of these facilities, and these facilities are generally allowable as shown and desired where feasible, they are not required in any given Street Zone or street section. Rather, the commitments made in the zoning ordinance to provide a certain percentage of the site's water quality through innovative water quality controls and to drain a certain percentage of the site's streets directly into rain gardens or other landscape features will dictate the minimum requirements for these features.

### 3.3 Master Framework Plan

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

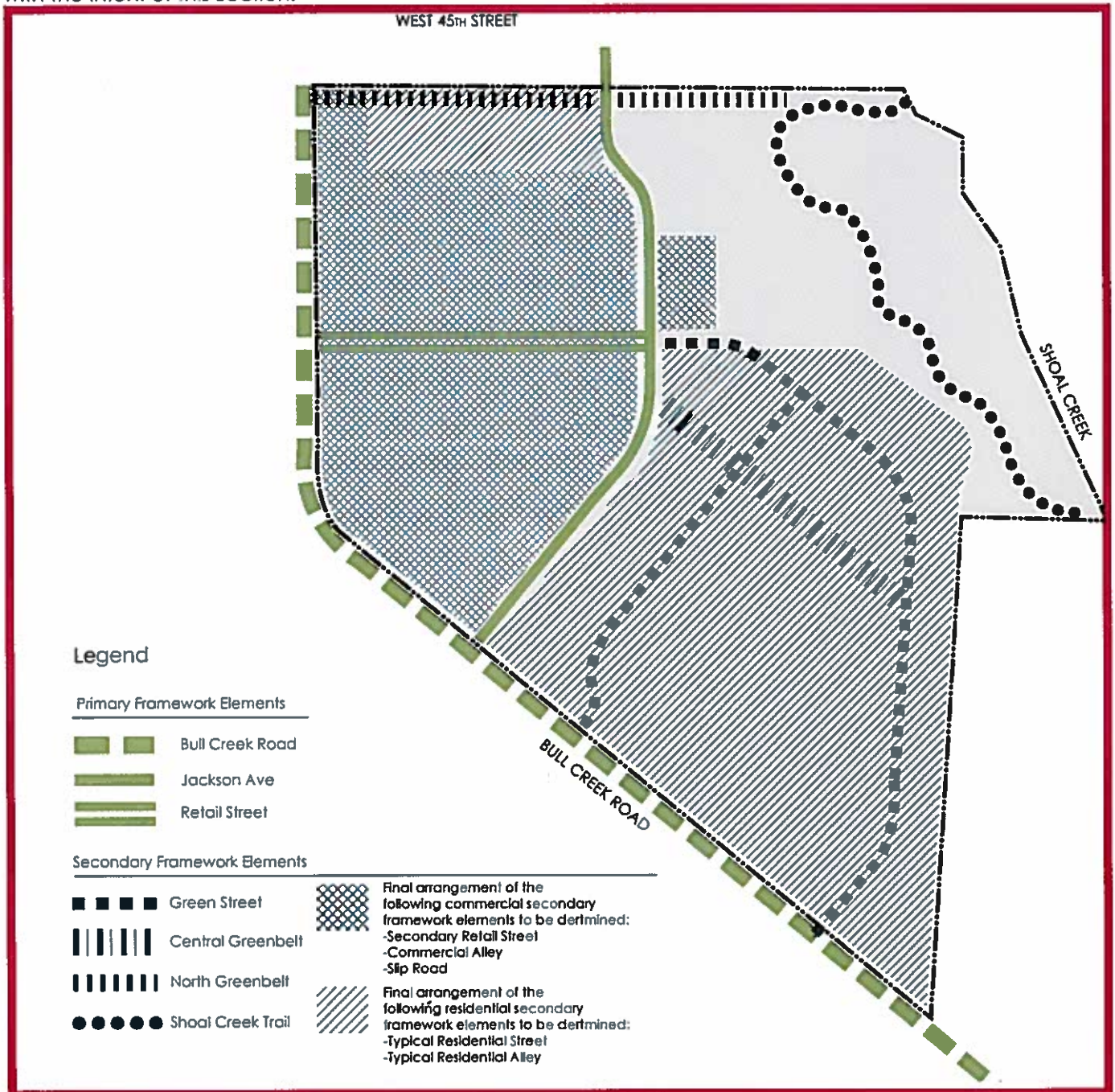


Figure 3.3: Master Framework Plan

## 3.4 Primary Framework Elements

### 3.4.1 Bull Creek Road

The intent of Bull Creek Road is to create a high-quality edge for the project that is inviting and provides exceptional facilities for pedestrians and bicyclists. These standards define the relationship of the site and the Bull Creek Road Trail to Bull Creek Road. The final design of the roadway within the right-of-way will be determined by the project's Traffic Engineer and is not governed by this document.

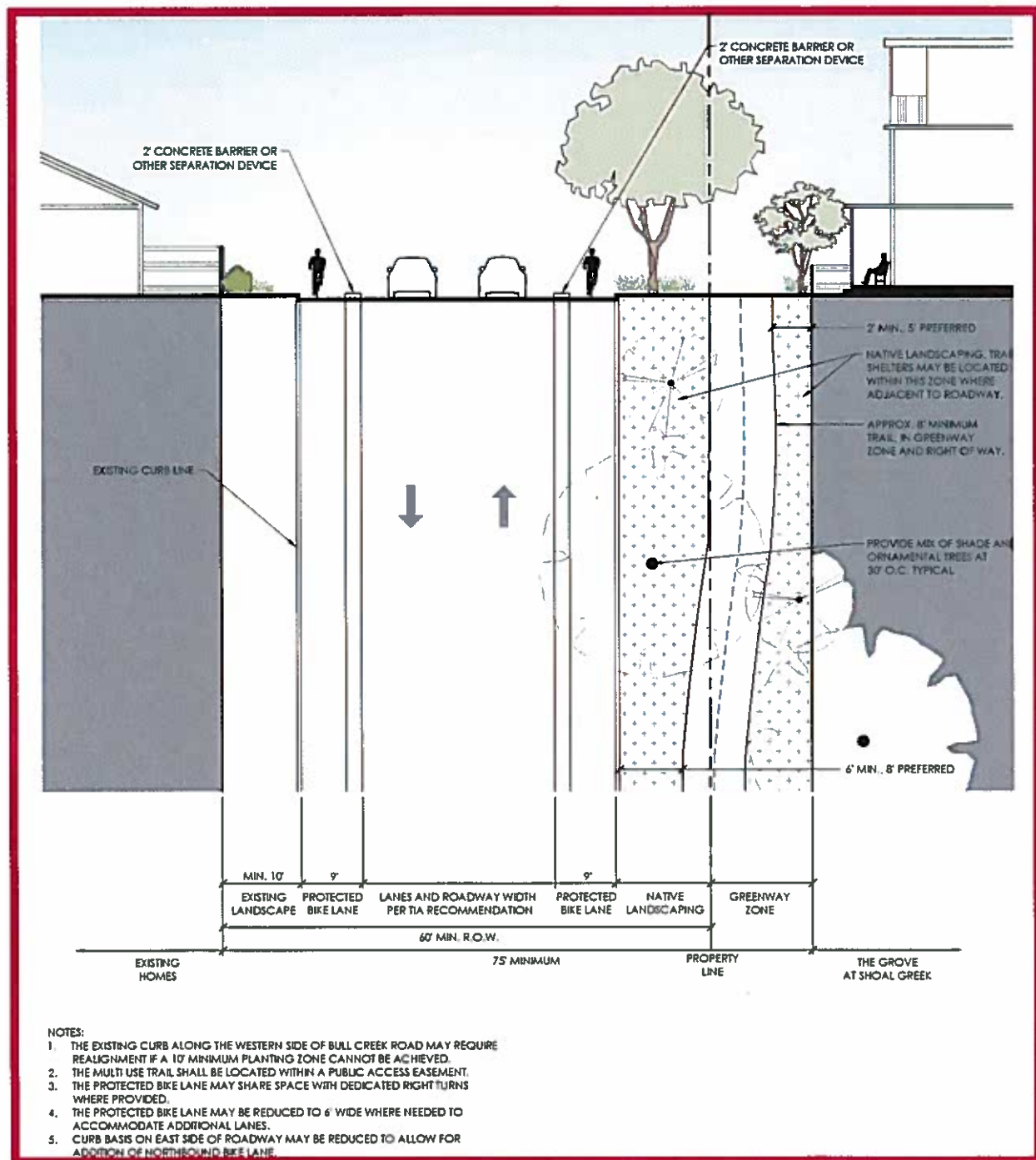


Figure 3.4.1: Bull Creek Road



### 3.4.2 Retail Main Street

The intent of the Retail Main Street is to create a wide, comfortable pedestrian environment that is conducive to successful retail uses and promotes interaction between users.

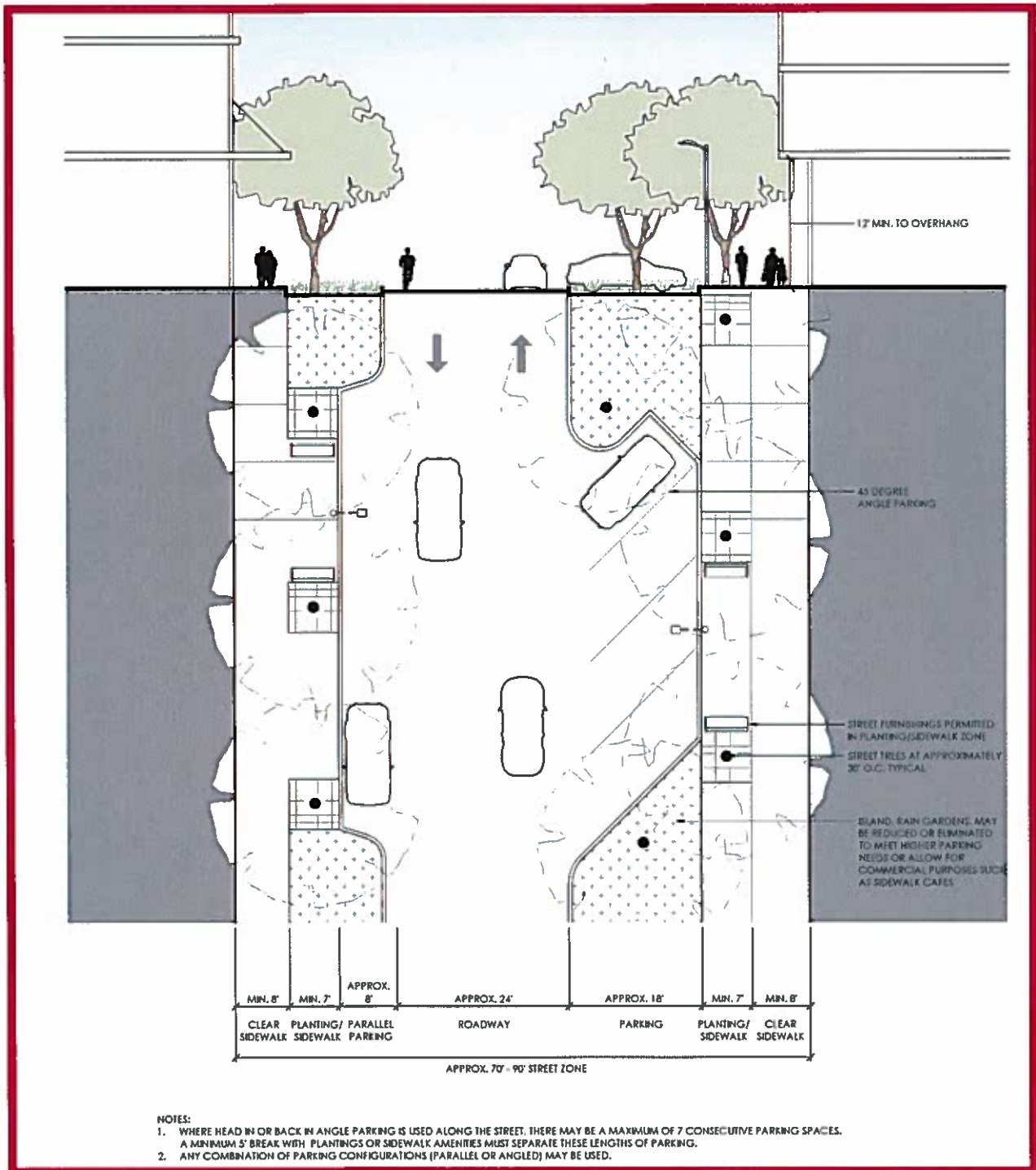
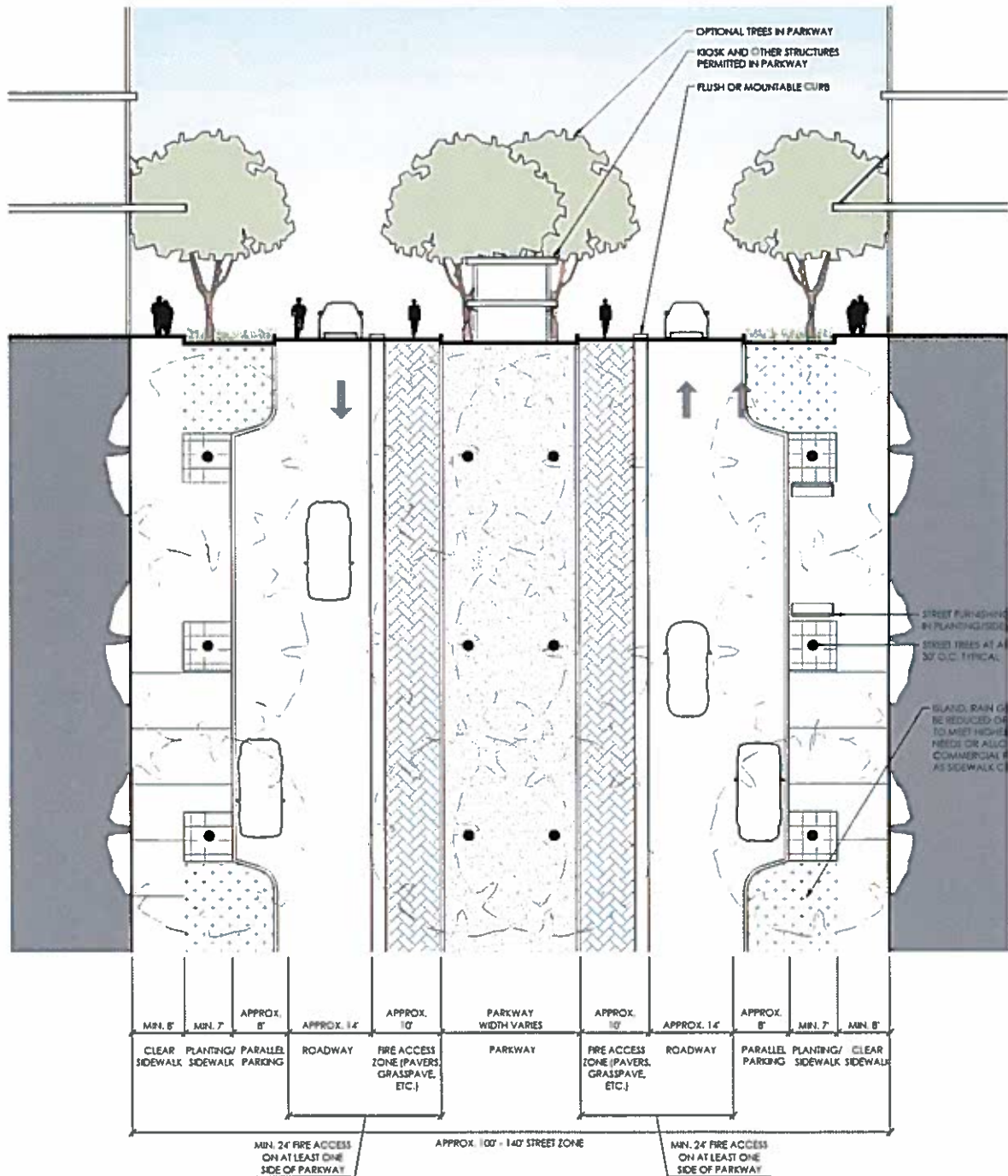


Figure 3.4.2.a: Retail Main Street

### 3.4.2 Retail Main Street - Parkway Alternative

This section is allowable in lieu of Section 3.4.2a for any segment of the Retail Main Street to provide for a parkway space in the middle of the roadway. This section will add open space and vibrancy to key segments of the Retail Main Street. Angle parking configurations are also permitted with this street section.



NOTES:

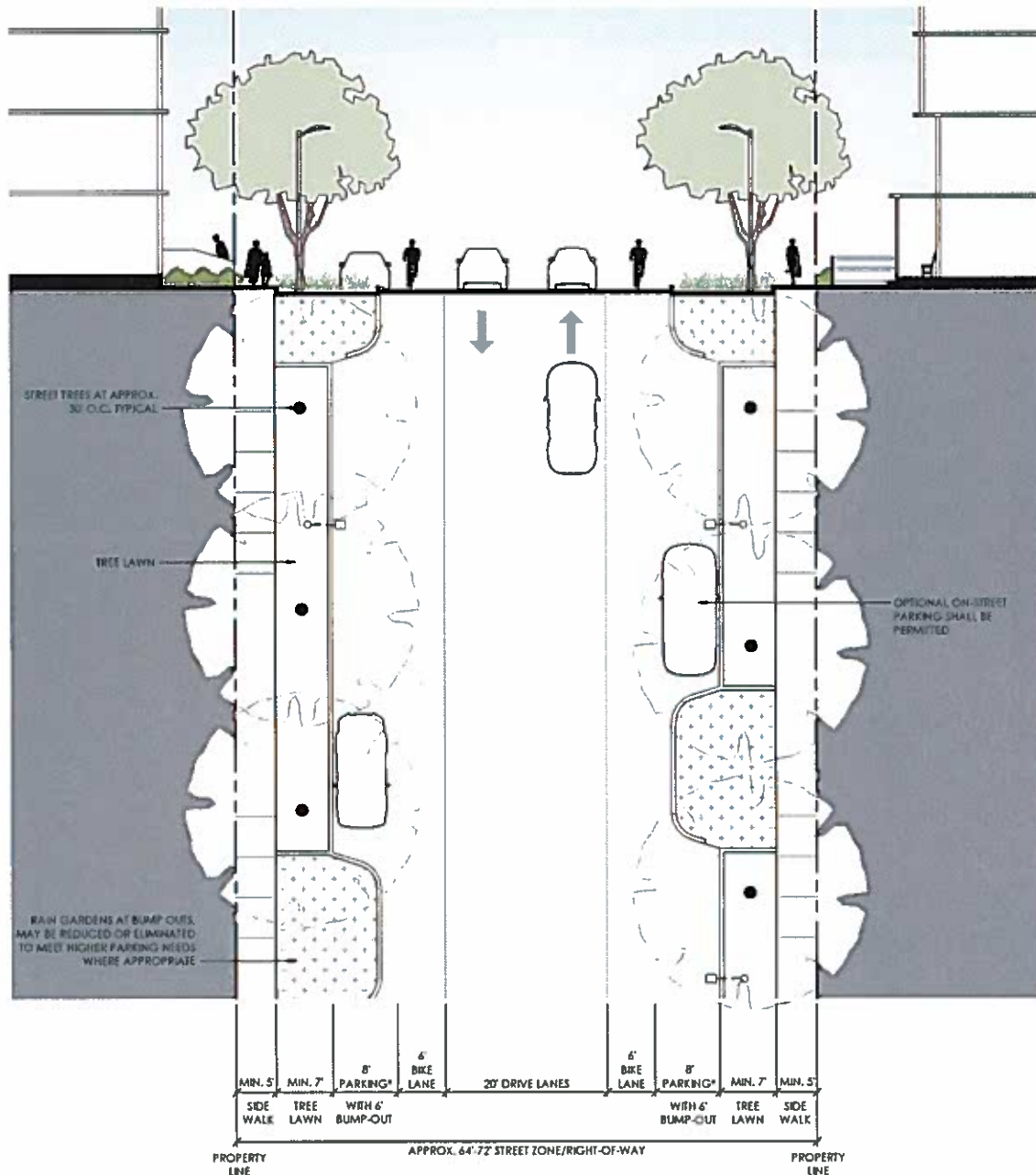
1. WHERE HEAD IN OR BACK IN ANGLE PARKING IS USED ALONG THE STREET, THERE MAY BE A MAXIMUM OF 7 CONSECUTIVE PARKING SPACES. A MINIMUM 5' BREAK WITH PLANTINGS OR SIDEWALK AMENITIES MUST SEPARATE THESE LENGTHS OF PARKING.
2. ANY COMBINATION OF PARKING CONFIGURATIONS (PARALLEL OR ANGLED) MAY BE USED.

Figure 3.4.2.b: Retail Main Street - Parkway Alternative



### 3.4.3 Jackson Avenue Extension

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



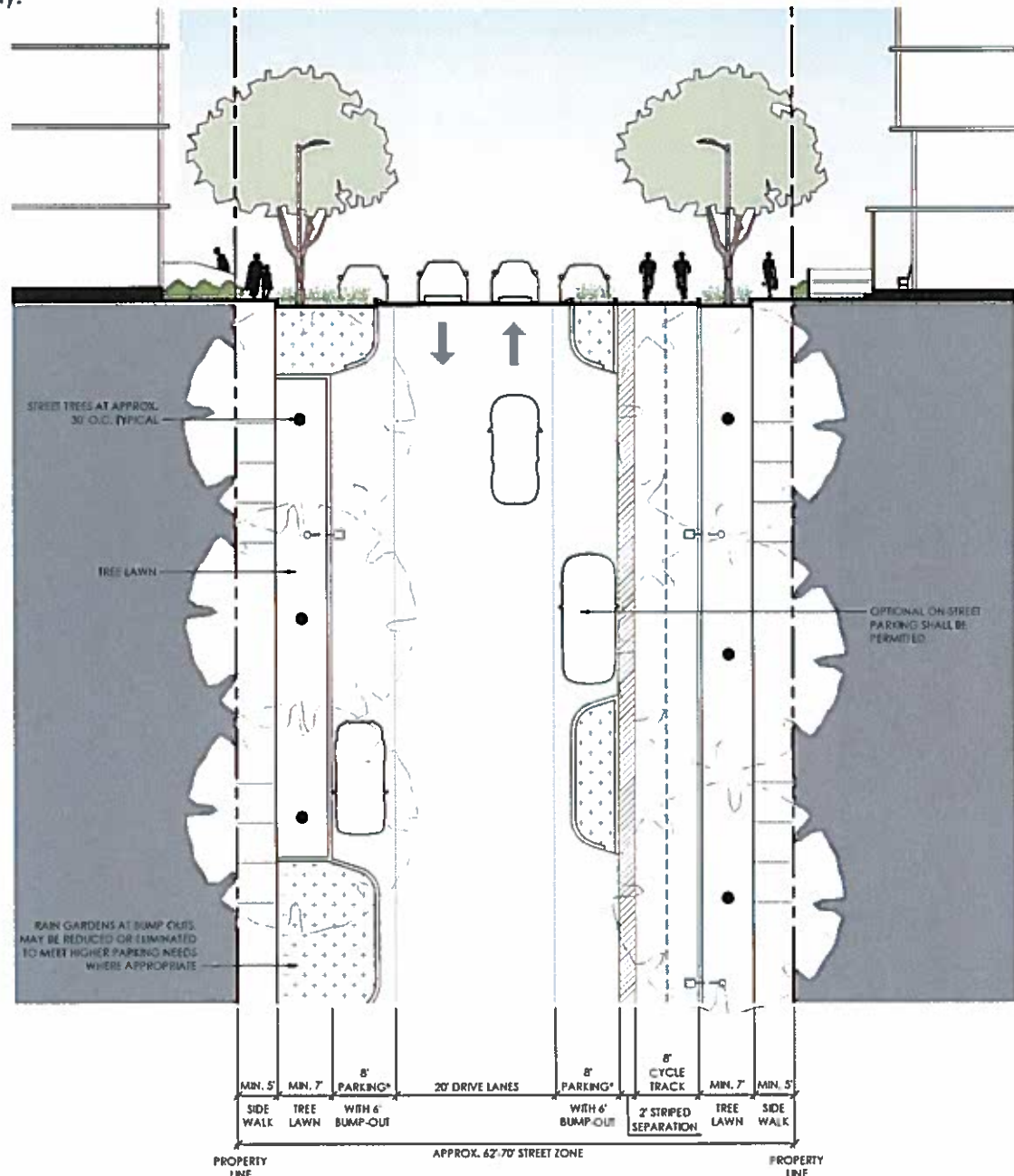
\*SEE NOTE 1. BELOW

#### NOTES:

1. PARKING ZONE IS OPTIONAL AND MAY BE REMOVED FROM SECTION. IF PARKING IS REMOVED, BIKE LANE MAY BE REDUCED TO 5' WIDTH. THIS WILL REDUCE THE OVERALL WIDTH OF THE STREET ZONE BY 9'.
2. DEDICATED RIGHT-OF-WAY SHALL BE A MINIMUM OF 64'. IF OVERALL STREET ZONE IS LARGER THAN 64' THE ADDITIONAL WIDTH MAY BE INCLUDED IN THE RIGHT-OF-WAY OR THROUGH EASEMENTS.
2. ELEMENTS OF THE STREET ZONE INCLUDING SIDEWALKS, TREE LAWN, AND CYCLE TRACK MAY OCCUR OUTSIDE OF THE DEDICATED RIGHT-OF-WAY SO LONG AS AN APPROPRIATE EASEMENT IS PROVIDED.

Figure 3.4.3.a: Jackson Avenue Extension

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



\*SEE NOTE 1, BELOW

## NOTES:

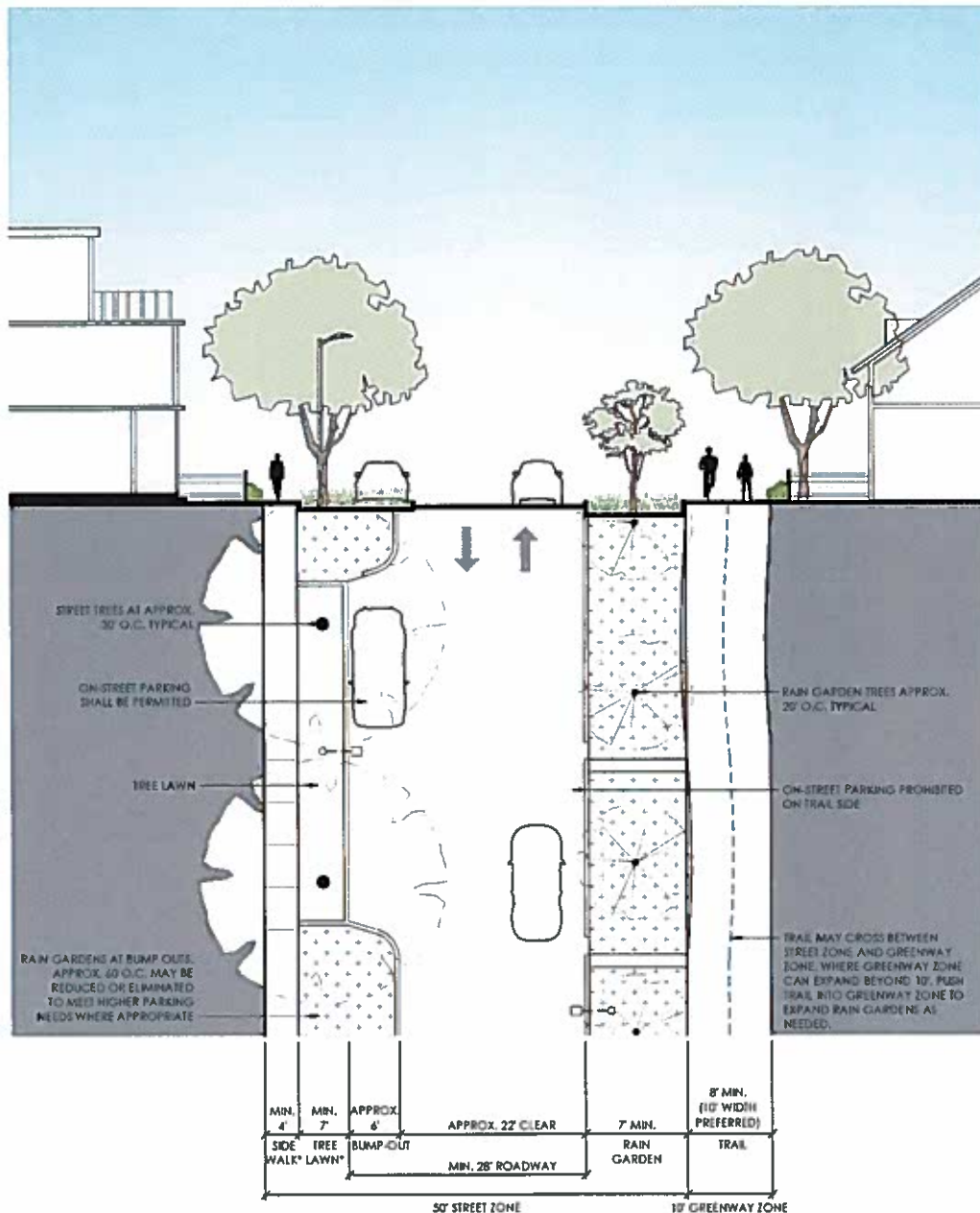
1. PARKING ZONE IS OPTIONAL AND MAY BE REMOVED FROM SECTION. IF PARKING IS REMOVED, BIKE LANE MAY BE REDUCED TO 5' WIDTH. THIS WILL REDUCE THE OVERALL WIDTH OF THE STREET ZONE BY 9'.
2. DEDICATED RIGHT-OF-WAY SHALL BE A MINIMUM OF 62'. IF OVERALL STREET ZONE IS LARGER THAN 62' THE ADDITIONAL WIDTH MAY BE INCLUDED IN THE RIGHT-OF-WAY OR THROUGH EASEMENTS.
2. ELEMENTS OF THE STREET ZONE INCLUDING SIDEWALKS, TREE LAWN, AND CYCLE TRACK MAY OCCUR OUTSIDE OF THE DEDICATED RIGHT-OF-WAY SO LONG AS AN APPROPRIATE EASEMENT IS PROVIDED.

Figure 3.4.3.b: Jackson Avenue Extension

### 3.5 Secondary Framework Elements

#### 3.5.1 Green Streets

The site's Green Streets are designed to accommodate safe movement through the site and to the park for pedestrians and cyclists in particular. They also form a key element in the site's green infrastructure system.



**NOTES:**

1. A 5' MINIMUM SIDEWALK AND A 7' MINIMUM TREE LAWN ARE REQUIRED IF THE ROADWAY ADJACENT TO A NON-RESIDENTIAL USE.
2. WHERE THE ROADWAY ADJACENT TO A PARK, THE REQUIRED SIDEWALK OR TRAIL MAY BE LOCATED WITHIN THE PARK SO LONG AS IT IS LOCATED WITHIN 15' OF THE ROADWAY.
3. WHERE THE ROADWAY ADJACENT TO A PARK, HEAD-IN OR ANGLED PARKING MAY REPLACE PARALLEL PARKING. IN THESE CASES, THE STREET ZONE WILL NEED TO EXPAND AS NECESSARY TO ACCOMMODATE THIS PARKING LAYOUT.

Figure 3.5.1: Green Streets

### 3.5.2 Central Greenbelt

The Central Greenbelt links the pedestrian and mixed-use zones of the site, and is designed to promote casual interaction between residents and visitors to the site.

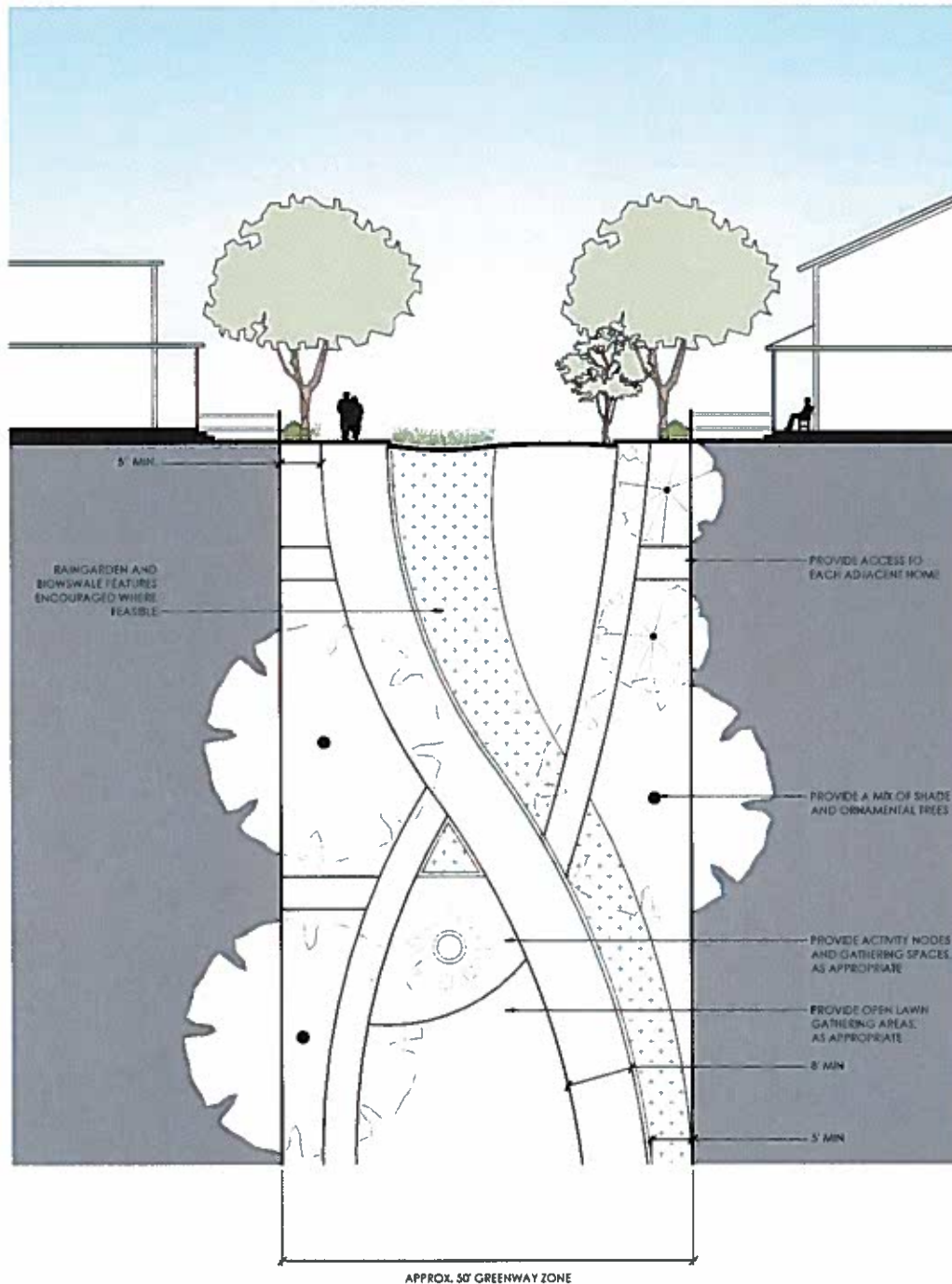
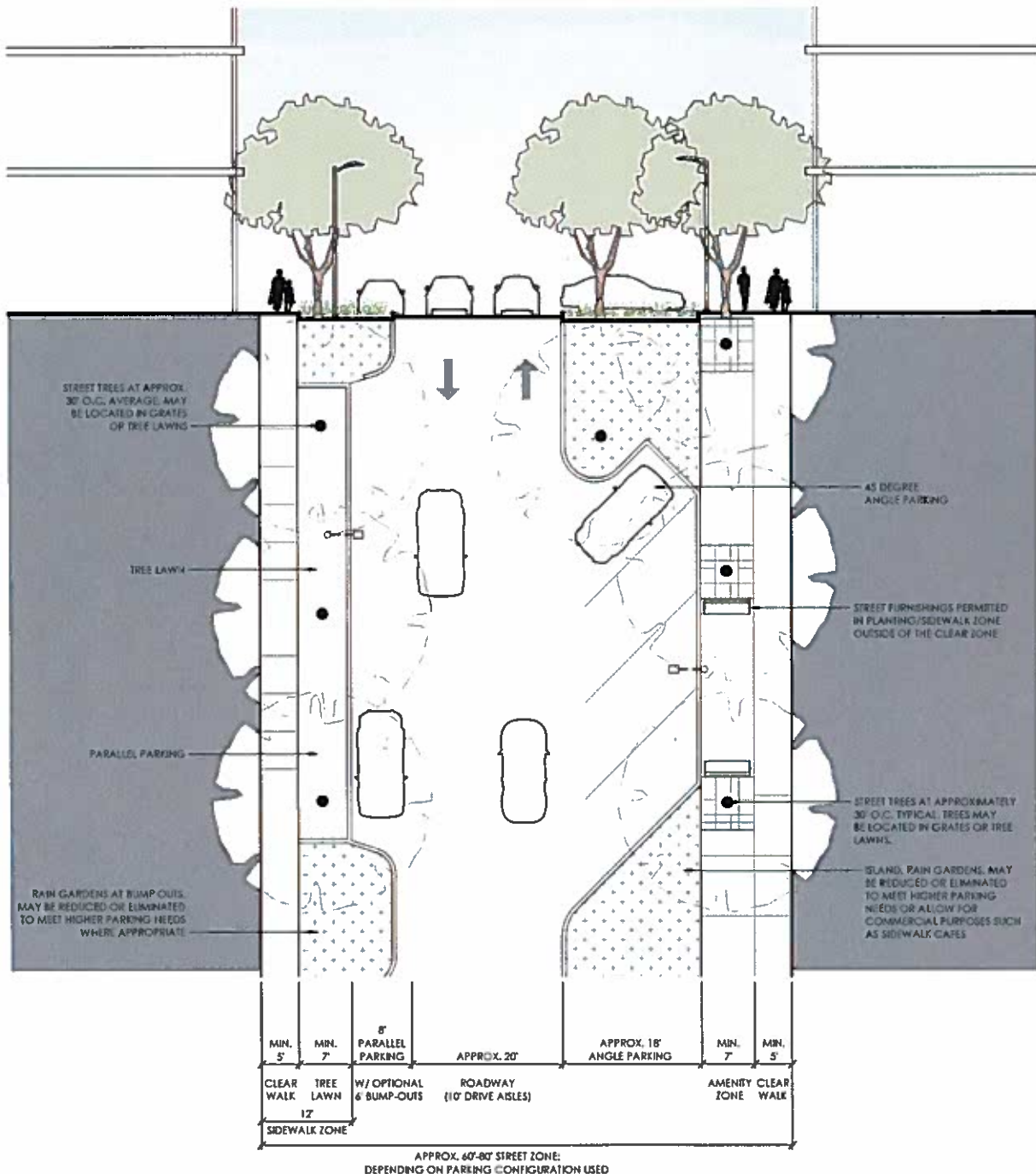


Figure 3.5.2: Central Greenbelt



### 3.5.3 Secondary Retail Street

The Secondary Retail Street is designed to accommodate a higher volume of parking within the Street Zone while still maintaining a street-like character. Either head-in angled or parallel parking options may be used on either side of the street.



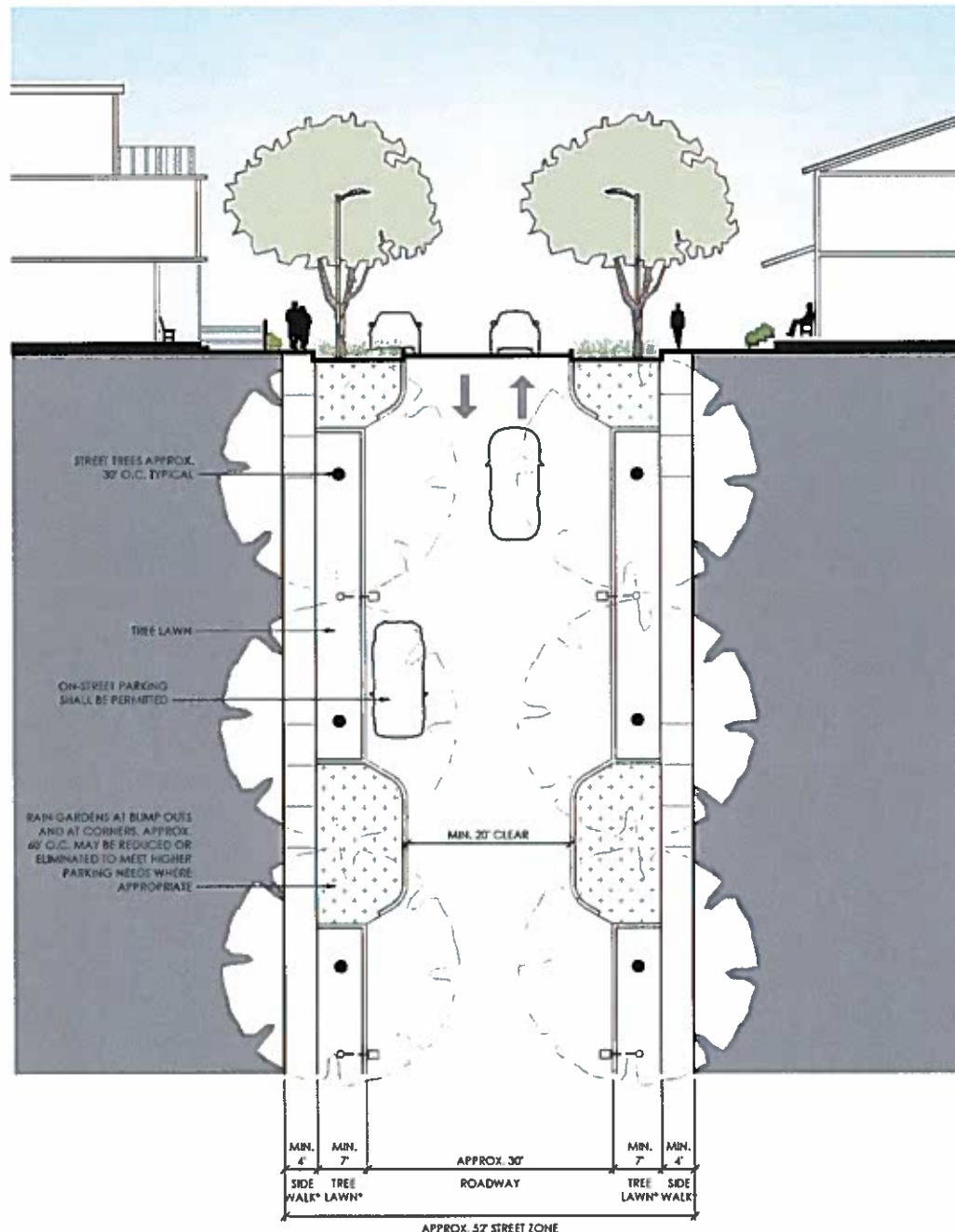
**NOTES:**

1. ANY COMBINATION OF THE TWO PARKING CONFIGURATIONS (PARALLEL OR ANGLED) AND TWO SIDEWALK CONFIGURATIONS (TREE LAWN OR TREE GRATES) SHOWN ABOVE MAY BE USED.

Figure 3.5.3: Secondary Retail Street

## 3.5.4 Residential Streets

The residential streets are designed to create a high quality residential street that will moderate traffic speeds, allow for convenient guest parking, and integrate street trees and green infrastructure into the streetscape.



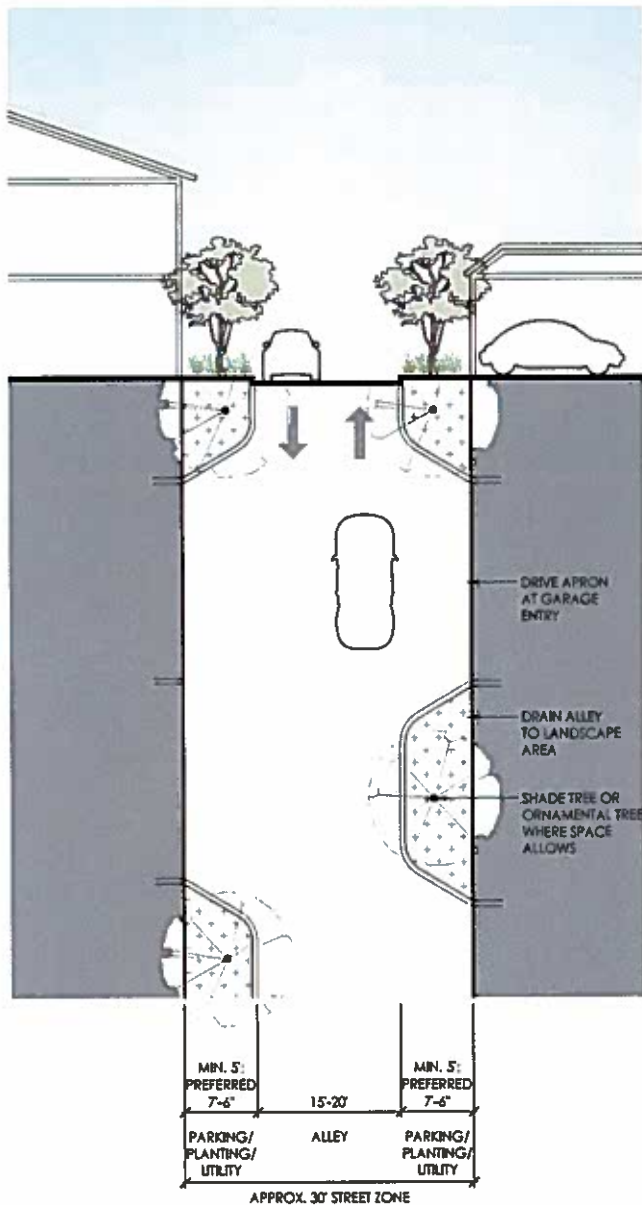
### NOTES:

1. A 5' MINIMUM SIDEWALK AND A 7' MINIMUM TREE LAWN ARE REQUIRED IF THE ROADWAY ABUTS A NON-RESIDENTIAL USE.
2. WHERE THE ROADWAY ABUTS A PARK, THE REQUIRED SIDEWALK OR TRAIL MAY BE LOCATED WITHIN THE PARK SO LONG AS IT IS LOCATED WITHIN 15' OF THE ROADWAY.
3. WHERE THE ROADWAY ABUTS A PARK, HEAD-IN OR ANGLED PARKING MAY REPLACE PARALLEL PARKING. IN THESE CASES, THE STREET ZONE WILL NEED TO EXPAND AS NECESSARY TO ACCOMMODATE THIS PARKING LAYOUT.
4. THERE SHALL BE A MAXIMUM OF 200' BETWEEN BUMP-OUTS WHERE THERE IS ON STREET PARKING.

Figure 3.5.4: Residential Streets

### 3.5.5 Typical Residential Alley

The intent of the typical alley is to provide a functional alley that maximizes the visual appeal and integrates as much landscaping as possible. The smaller pavement section should be used wherever feasible and expanded where necessary for fire access.



**NOTES:**

1. ALLEY WIDTH SHALL BE 20' WHERE FIRE ACCESS IS REQUIRED.
2. ALLEY WIDTHS LESS THAN 16' ARE INTENDED FOR ONE-WAY TRAFFIC. DIRECTIONAL SIGNAGE IS REQUIRED AT ALLEY ACCESS POINTS FOR ONE-WAY ALLEYS.

### 3.5.6 Commercial Alley

Commercial Alleys are allowable at The Grove at Shoal Creek and are generally encouraged where they would minimize the conflicts and visual impacts created by the service functions and utility requirements of retail and other commercial buildings. A specific section is not provided for Commercial Alleys, but they should generally be designed similar to the residential alleys to include as much landscaping as feasible.

Figure 3.5.5: Typical Residential Alley

## 3.5.7 North Greenbelt Trail

The North Greenbelt trail will provide convenient access to the Signature Park and function as an east/west pedestrian and bicycle path on the south side of 45th Street (south of the existing homes). An optional 12' wide alley may be provided along the north property line to provide access to the existing homes which front on 45th Street at the developer's discretion and may be constructed only if allowed by the City of Austin. If the alley is constructed additional building setback from the north property line may be required to ensure the greenway zone still meets the minimum acreage designated in the Parks Plan for the North Greenbelt.

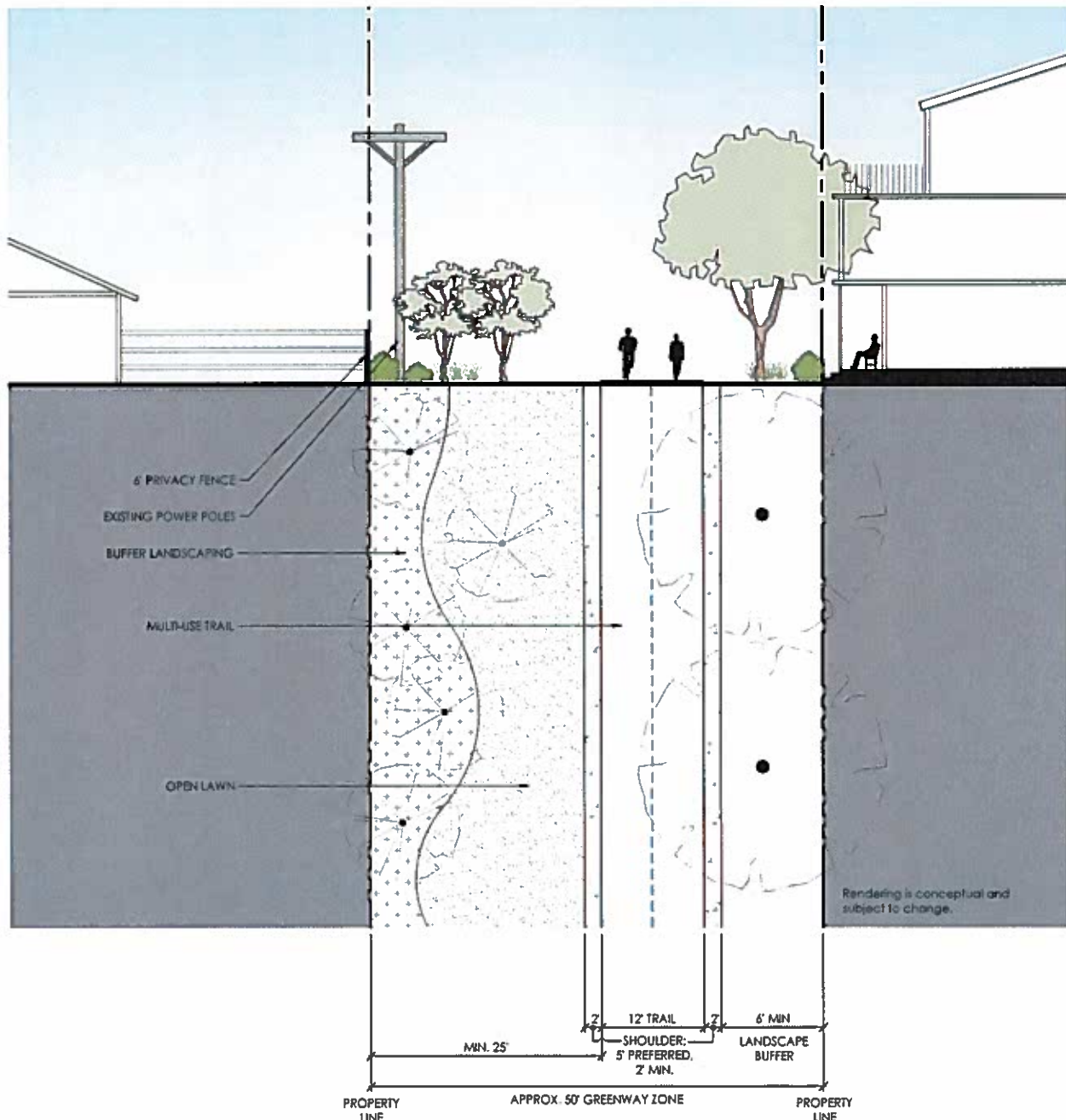


Figure 3.5.7: North Greenbelt Trail



### 3.5.8 Slip Road

The intent of the slip road is to provide safe access for on-street parking parallel to Bull Creek Road without obstructing traffic flow on Bull Creek Road. This framework element may be used between development parcels and Bull Creek Road and elsewhere on the site if appropriate.

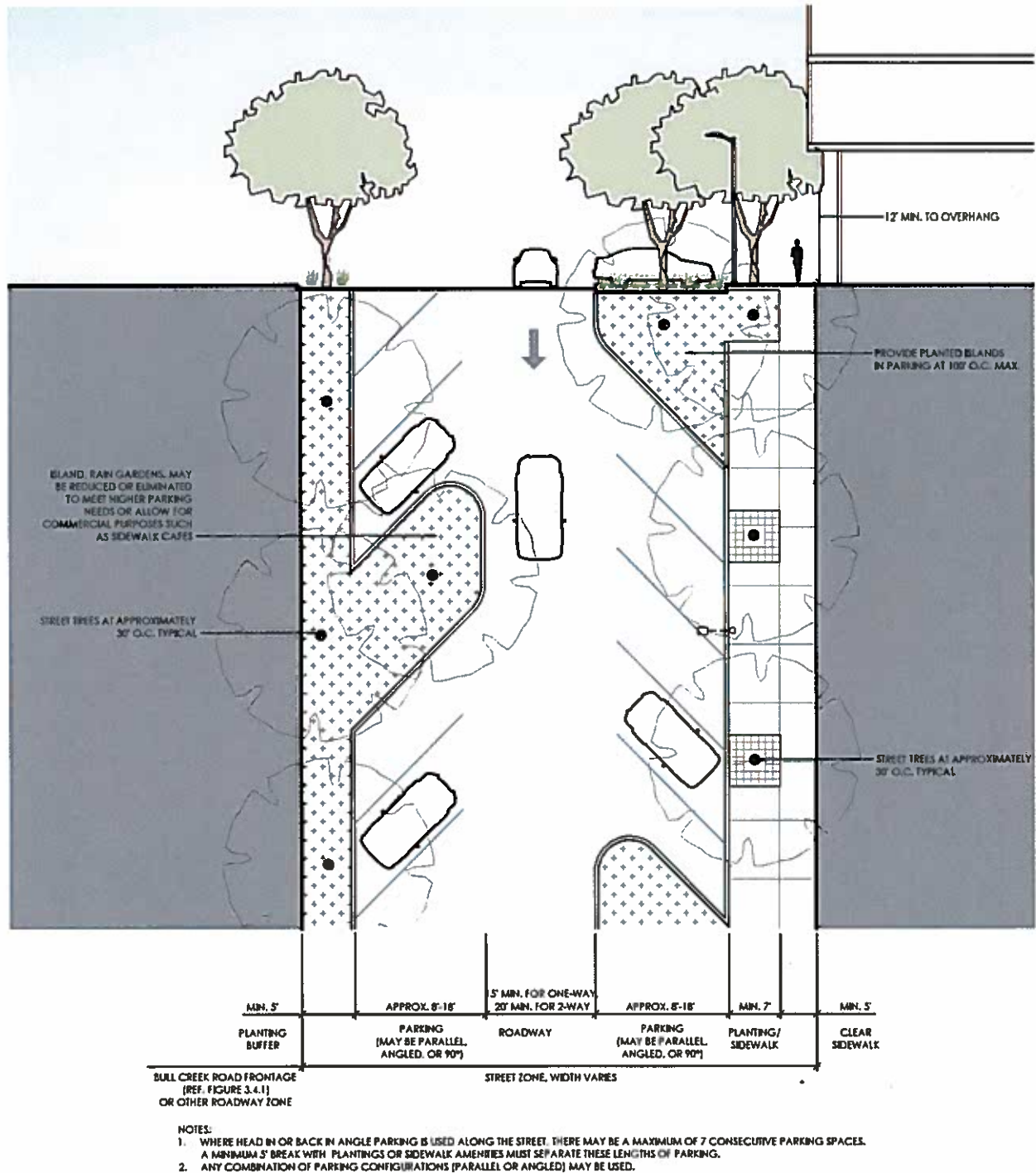


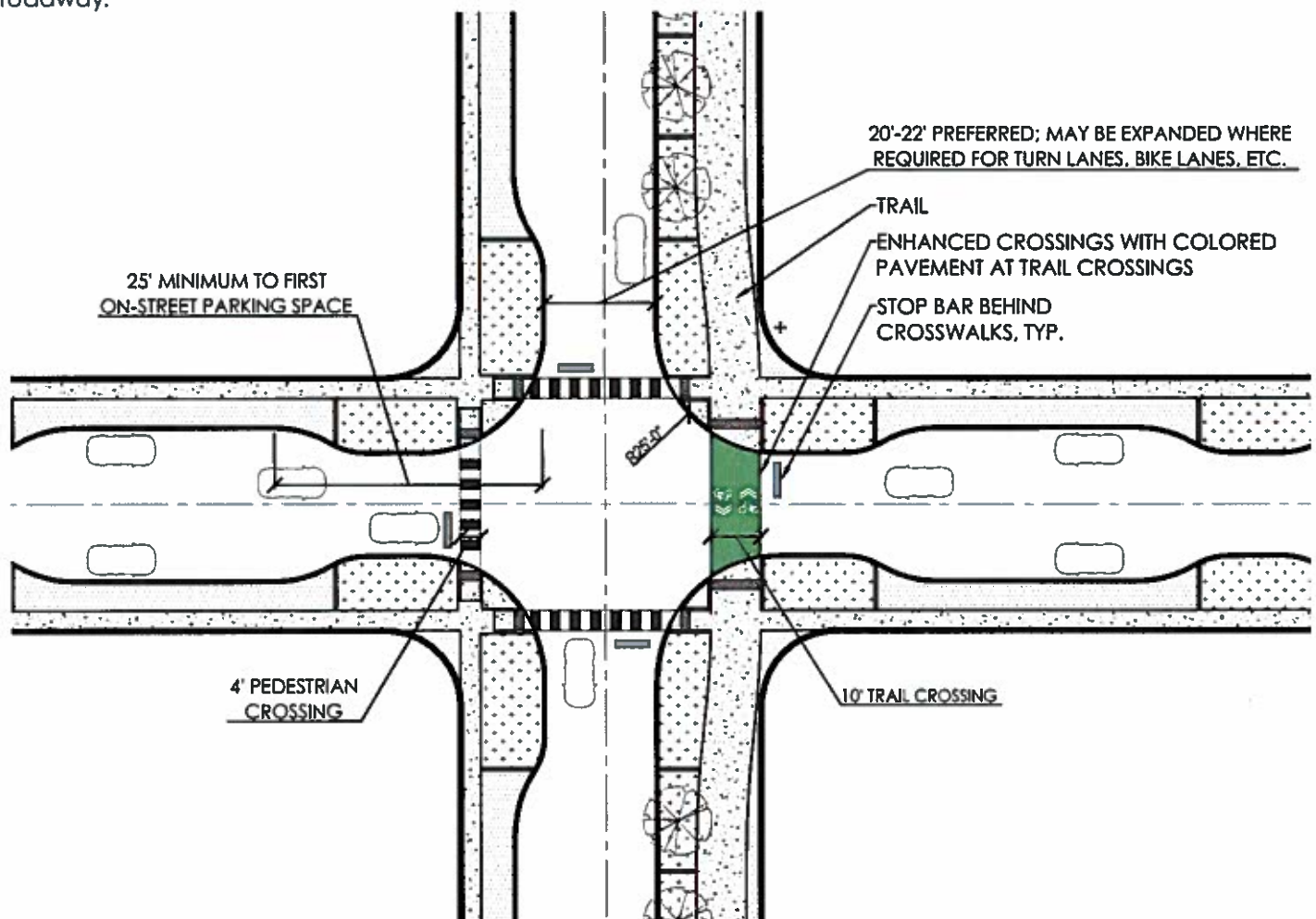
Figure 3.5.8: Slip Road

## 3.6 Typical Intersection Design

Intersections will take many distinct forms throughout The Grove at Shoal Creek as different street types intersect, additional turn lanes may occasionally be appropriate, some skew may be required, and bike lanes, trails, traffic controls, and other elements all impact the final design of an intersection. The typical intersections shown here are intended to set a general standard for intersections within The Grove at Shoal Creek that move traffic calmly but efficiently, provide for safe interactions between various modes of transportation, and contribute to the overall creation of a high quality, safe, and walkable urban environment.

### 3.6.1 Typical Intersection

The intersection shown here is between a Green Street and a typical residential street, but it reflects many of the qualities desired for all of the intersections at The Grove including minimal turning radii, bump-outs to shorten pedestrian crossings, clearly marked crosswalks, and clean integration of landscape, sidewalk, and roadway.



#### NOTES:

1. REFERENCE STREET STANDARDS FOR REQUIREMENTS FOR ROADWAYS, SIDEWALKS, STREET TREES, ETC.
2. ACCESSIBLE CURB RAMPS SHALL BE PROVIDED FOR ALL SIDEWALKS AT INTERSECTIONS UNLESS AN ACCESSIBLE ROUTE IS NOT POSSIBLE DUE TO SITE CONSTRAINTS. AN ACCESSIBLE ROUTE IS REQUIRED ON AT LEAST ONE SIDE OF ALL STREETS.

Figure 3.6.1: Typical Intersection Layout

### 3.6.2 Typical Traffic Circle

Roundabouts in the project are envisioned to help distribute traffic while also performing an important aesthetic function. The design below is conceptual and intended to communicate design intent, rather than to lock in specific dimensions, and may be modified based on final street design, etc. Because this facility is designed for relatively low vehicular speeds, the safest solution for cyclists is to merge with the vehicular lane and traverse the roundabout in the same manner as a vehicle. Cyclists who chose may dismount at the pedestrian ramp and instead traverse the roundabout as a pedestrian. This is an optional facility and may not occur on the final site plan.

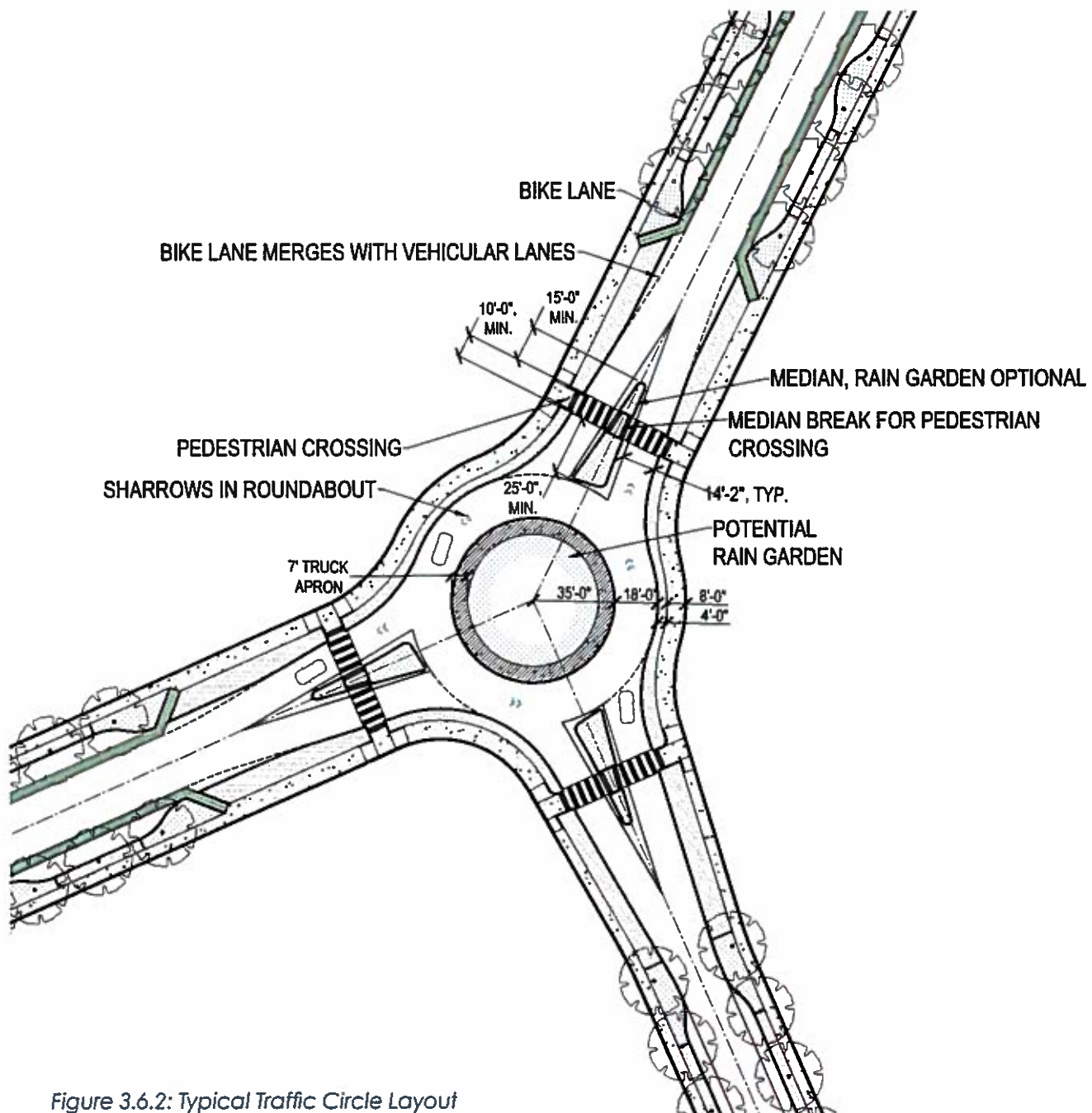


Figure 3.6.2: Typical Traffic Circle Layout



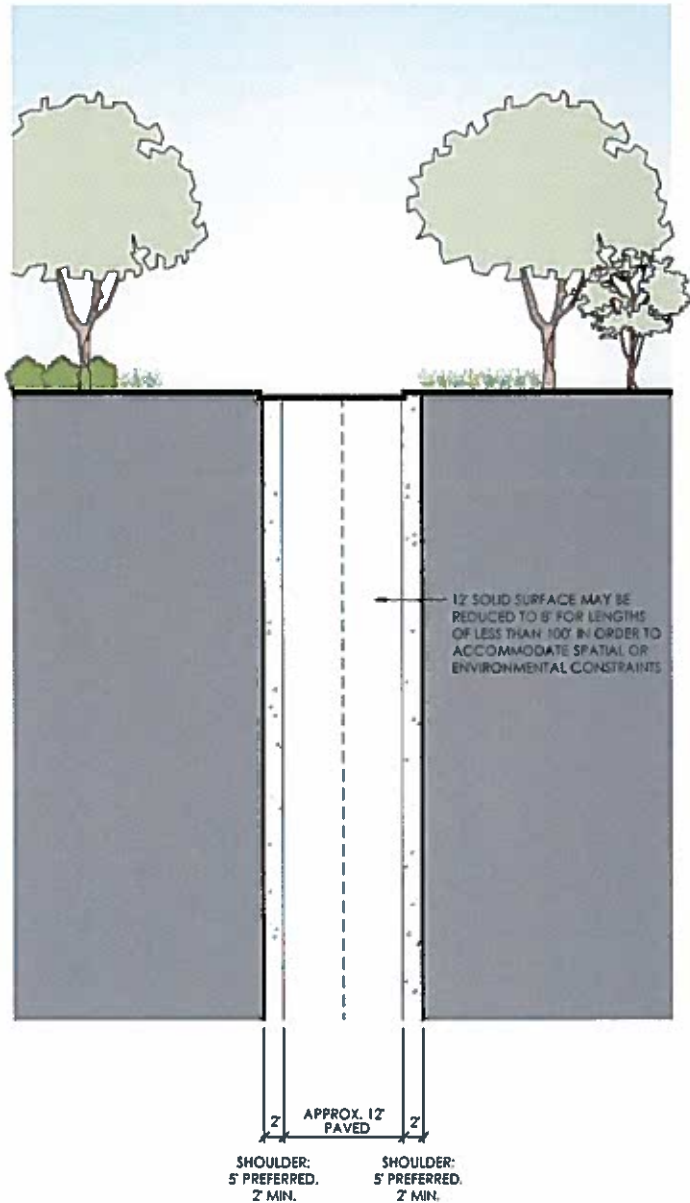
## 3.7 Trail Requirements

Trails at The Grove at Shoal Creek include the Shoal Creek Trail and North Greenbelt Trail as well as the trails along Bull Creek Road and the Green Streets, which are described in Sections 3.4 and 3.5. Section 3.7.1 defines requirements for the trails listed above, while 3.7.2 provides additional requirements for the Shoal Creek Trail. These requirements are intended to apply only to the urban trails on the site and do not apply to soft-surface trails, sidewalks, paths, and secondary trails within the park

### 3.7.1 The following requirements apply to all urban trails on the site:

- Unless specifically noted otherwise, these trails shall follow the requirements of the City of Austin Urban Trail Master Plan.
- While a 12' width is desired for all trails, a width of 8' is acceptable for trails, other than the Shoal Creek Trail and Bull Creek Road Trail. The width of any trail may be reduced to 8' for a length of up to 100' to accommodate spatial or environmental constraints.
- All trails within the development shall include wayfinding elements that describe distance, direction, and destination, at intervals of  $\frac{1}{4}$  to  $\frac{1}{2}$  mile. The purpose of these wayfinding elements is to orient users and visitors to the trail's destination, provide educational or informational background on the site, and facilitate recreational use (e.g. mile markers).
- Multi-use Trails should have a minimum centerline radius of 100'. Centerline radii where approaching curb ramps at intersections, road crossings, street islands, etc. should be no less than 10'.
- Raised street crossings should have a level surface that is the same width as the multi-use trails. The crossing surface should be 3" above the adjacent roadway with a 6' long transition to the road surface on either side. Where site drainage patterns do not allow for raised crossings, this geometry may be adjusted with approval from the City of Austin.

### 3.7.2 Requirements for the Shoal Creek Trail



NOTES:  
1. TRAIL SEGMENTS LESS THAN 12' IN WIDTH FOR LENGTHS OF GREATER THAN 100' MAY BE ALLOWED WITH APPROVAL FROM PUBLIC WORKS.

Figure 3.7.2: Shoal Creek Trail



### 3.8 Parking Requirements

It is important that The Grove at Shoal Creek provide ample parking to meet the needs of the project's users. The majority of the site's parking needs will be met in parking garages, residential garages, and with on-street parking within the site. Some off-street surface parking may be necessary to ensure the viability of specific retail uses. Off-street surface parking is defined as a vehicle parking lot consisting of at least 10 spaces where neither the parking space themselves nor the drive isle serving the spaces is located within the street zone. Off Street Surface Parking does not include parking in residential driveways. Parking for the Grove shall meet the following standards:

**3.8.1** Off-street surface parking may not cumulatively exceed 400 spaces for the entire site. Compliance with this standard shall be determined at final site plan and shall not apply to prior site plans.

**3.8.2** Off-street surface parking should generally be located beside or behind buildings and should not occur between a building section and its Primary Frontage as described in Section 4 of this document.

**3.8.3** Off-street surface parking shall be constructed to meet or exceed City of Austin requirements for parking lot landscaping.

**3.8.4** Off-street surface parking lots are encouraged to be designed such that the paved surface drains into landscaped parking islands and peninsulas.

**3.8.5** Required ADA parking shall be no more than 250' from the site it is serving.

**3.8.6** Parking on the site shall not cumulatively exceed the parking requirements of Appendix A of the Land Development Code. Where a site plan includes a structured parking facility intended to serve future phases, the portion of that facility that exceeds parking requirements for that site plan must be barred from use until the future phase which it serves comes on-line.

**3.8.7** Unless otherwise noted in this document, requirements of the City of Austin Land Development Code and Transportation Criteria Manual shall apply to parking in the project, including requirements regarding ADA parking, off-site parking, and design and construction standards.

### 4.0 ARCHITECTURE

#### 4.1 Intent

Section 4 of The Grove at Shoal Creek Design Guidelines establishes standards and requirements for placement and design of buildings within the site. They are meant to ensure that buildings contribute to creating a walkable/ pedestrian scaled neighborhood and to establish the relationship/ placement of buildings to the variety of streets within the Grove at Shoal Creek. It is not the intent of this section to mandate any particular architectural style or character or to unduly limit creative expression. The intent of this section is to:

**4.1.1** Ensure that buildings relate appropriately to surrounding uses and streets and create a cohesive visual identity and attractive pedestrian friendly streetscape.

**4.1.2** Provide appropriate architectural direction to create a high-quality community development and streetscape environment.

**4.1.3** Provide for a strong physical relationship between buildings and adjacent streets and sidewalks. Provide for convenient and easy pedestrian access to buildings

**4.1.4** Provide design flexibility in building placement standards to allow for unique and diverse architectural expressions as well as for pedestrian-scaled uses such as outdoor dining terraces, porches, patios, and landscape features to enliven and enrich the streetscape environment.

**4.1.5** Encourage buildings with appropriate human and pedestrian scale that create a sense of community. Building Architectural elements will be encouraged to help create gateways and public spaces and identify key intersections.

**4.1.6** Encourage appropriate use of glazing, shading, and shelter to ensure that buildings contribute to the creation of a pedestrian-friendly environment with an active ground-floor experience.

**4.1.7** Provide the flexibility necessary for diverse and well-articulated buildings throughout the site. Standards should encourage rather than hinder architectural creativity and expression.

## 4.2 Using This Section

Standards in this section are provided for the two Development Districts identified in Section 2: The Mixed-use District and the Residential District. If designing a building within a Tract where both districts are allowable, it will be up to the design team to determine which district is most appropriate for each building or site. For buildings where 10% or more of the gross square footage is dedicated to retail or office uses, and buildings where the primary frontage is the Retail Street, the Mixed-Use District must be used. Otherwise, this decision is fully at the discretion of the design team.

Standards for building placement are given in relationship to the Street Zone, Greenway Zone, or adjacent Park Space. Many building sites will be surrounded on three or more sides by such zones. For each building or site, it will be at the discretion of the design team to determine which of these is the Primary Frontage for the project. A Street Zone, Greenway Zone, or Park Space, may be selected to serve as the Primary Frontage. However, for sites bounded by the Retail Street, the Retail Street must serve as the Primary Frontage.

Some standards are given in relationship to the Bull Creek Road right-of-way that will apply regardless of whether that is selected as the project's Primary Frontage.

### 4.3 Building Placement

#### 4.3.1 Mixed-Use District

- a. Buildings may be constructed immediately adjacent to the Street Zone, Greenway Zone, or Park Space. There is no minimum setback.
- b. The maximum setback for buildings along their Primary Frontage is 30', unless a public plaza is provided between the building and primary frontage.
- c. At least 50% of a site's Primary Frontage must consist of continuous building façade constructed within the maximum setback described in 4.3.1.b.
- d. Shade structures and canopies are permitted to encroach into the Street Zone or Greenway Zone above 12 feet of height to provide shade and architectural interest. There is no limitation to the distance which shade structures and canopies may encroach into the Street Zone or Greenway Zone, and support posts are allowed within the Street Zone or Greenway Zone as long as they do not interfere with the required sidewalk. Shade structures and canopies shall not interfere with street trees at maturity.
- e. Occupied space in buildings above the first floor is permitted to encroach into the Street Zone or Greenway Zone above 12 feet of height to increase the developable area of the structure and provide architectural interest. This type of encroachment may be a maximum of 7' or 10% of the width of the combined Street and Greenway Zone, whichever is smaller. Buildings in the street zone shall not interfere with street trees at maturity.
- f. Buildings may not encroach into Park Space.
- g. Off-street surface parking is not permitted between the building and the Primary Frontage. A slip road is allowed in these locations (ref. section 3.5.8). (Note: off-street surface parking is allowed between the building and other Street Zones, Greenway Zones, or Park Spaces not selected as the Primary Frontage).
- h. Off-street surface parking is not permitted between any building and the Bull Creek Road right-of-way regardless of whether Bull Creek Road is the Primary Frontage of the site. A slip road is allowed in these locations (ref. section 3.5.8).
- i. For sites bounded by Bull Creek Road at least 50% of the site's Frontage on Bull Creek Road must consist of continuous building façade constructed within the maximum setback described in 4.3.1.b, regardless of whether Bull Creek Road is selected as the Primary Frontage. A slip road is permitted between the site and Bull Creek Road (ref. section 3.5.8).



#### 4.3.2 Residential District

a. Buildings in the Residential District may not encroach into the Street Zone, Greenway Zone, or Park Zone.

b. Detached residences:

1. The minimum setback from the Primary Frontage is 10'. The minimum setback for porches or stoops is 5'.
2. The minimum setback for front-facing garages is 18'. Parking is allowed in the driveway of a front-facing garage.
3. The maximum setback for the Primary Frontage is 25'.
4. Tandem parking is permitted.

c. Attached Residences (e.g. Townhomes, Row Homes, Duplexes, Multifamily Buildings)

1. The minimum setback from the Primary Frontage is 5' for the first floor only to allow for porches and stoops. There is no minimum setback above the first floor.
2. There is no minimum setback for porches, stoops, balconies, etc.
3. The maximum setback from the Primary Frontage is 30'.
4. At least 50% of a site's Primary Frontage must consist of continuous building façade constructed within the maximum setback described above.
5. Front-facing garages are generally discouraged but will be allowed where necessary. The setback for front-facing garages is 5'. Parking is allowed in the driveway of a front-facing garage so long as that garage is set back a minimum of 18' from the Street Zone.
6. Tandem parking is permitted.
7. Off-street surface parking is not permitted between the building and the Primary Frontage. (Note: off-street surface parking is allowed between the building and other Street Zones, Greenway Zones, or Park Spaces not selected as the Primary Frontage).
8. Off-street surface parking is not permitted between any building and the Bull Creek Road right-of-way regardless of whether Bull Creek Road is the Primary Frontage of the site.
9. For sites bounded by Bull Creek Road at least 50% of the site's Frontage on Bull Creek Road must consist of continuous building façade constructed within the maximum setback described in 4.3.2.c.3 regardless of whether Bull Creek Road is selected as the Primary Frontage.

### 4.4 Building Design Standards

#### 4.4.1 General Design Standards

All buildings at The Grove shall meet the following standards:

a. Generally, pedestrian entries to the buildings are encouraged as frequently as practical along all Street Zones, Greenway Zones and Park Space frontages. At least one primary pedestrian building entry must occur along the building's Primary Frontage.

b. Ground floor residential units that are oriented toward the street should have direct access from the street where practical, via porch, stoop, or other entries. At a minimum, 50% of such units shall have direct entries from the street. Where feasible, Elevation of ground floor units should be slightly elevated above the sidewalk elevation. A range of 12-36 inches is considered optimal and should be utilized where feasible. However, site grading constraints may result in a wider range of acceptable ground floor elevations. Where these conditions exist, the building or first floor should generally be set back sufficiently from the Street Zone to allow for a porch, stoop, terrace, or other pedestrian access.

c. Ground floor retail uses shall generally have a height and depth sufficient to support the intended use and shall have at least one pedestrian entry along the street they are oriented towards.

d. Parking structures, when utilized, should be designed to not dominate the built environment, and should be visually screened from the street through use of architectural treatment or green screens. Where possible, wrapping parking structures with buildings is encouraged.

e. Building cladding materials shall be high quality and attractive. Preferred materials include Texas limestone or sandstone, smooth horizontal bevel or lap-siding fiber-cementous siding with mitre corners, smooth finish or painted brick, smooth finish stucco; or other similar or special materials where appropriate and complimentary to the overall context and character.

#### 4.4.2 Mixed-Use District Standards

a. Medium Density residential and commercial mixed-use building are strongly encouraged – they should be designed to extend and enliven the fabric of the streets. These mixed-use buildings and uses are not intended to be stand-alone buildings but an integral part and core of The Grove at Shoal Creek community creating ground level activity and neighborhood oriented uses. They will provide a scale transition to adjacent Townhomes and Single family districts of the master plan.

b. For buildings whose primary frontage is the Retail Street, at least 70% of the primary frontage shall consist of pedestrian oriented uses, including retail, lobbies serving office uses, and lobbies, sales centers, or amenity areas serving residential uses. Buildings facades along the Retail Street that exceed 200 ft in length shall have a building entrance at least every 100 ft.

c. Mixed-use buildings are encouraged to be designed with pedestrian friendly outdoor elements such as extended/projecting eaves for shade and the use of loggias, porches, terraces, and/or courtyards.

d. For all uses in a Mixed-Use building, the minimum off-street parking requirement shall be 60 percent of that prescribed by the City of Austin Off-Street Parking and Loading Requirements. This reduction may not be used in combination with any other parking reduction.

e. Glazing

1. For non-residential uses on the ground floor along a building's Primary Frontage, at least 30% of the wall area of the first floor between 0 and 12' must consist of glazing.
2. For residential uses on the ground floor along a building's Primary Frontage, at least 10% of the wall area of the first floor between 0 and 12' must consist of glazing.
3. Along a building's Primary Frontage, at least 10% of the wall area for the second floor (if provided) must consist of glazing.
4. Where a building faces any Street Zone, Greenway Zone, or Park Space that is not its Primary Frontage, at least 10% of the wall area of the first two floors must consist of glazing unless building code prevents windows on such facades.
5. These glazing standards do not apply to parking structures.

### 4.4.3 Residential District Standards

a. Detached Residence

1. On the front façade, at least 10% of the wall area of the first floor of detached residences must consist of glazing. The area of a front facing garage door is not counted in this calculation.
2. Use of porches, terraces, and other front-facing outdoor spaces is strongly encouraged.
3. Homes on corner lots should be designed so that architecturally attractive elevations are presented to both sides by using such elements as wrap-around porches, landscape design elements, massing, façade composition, and other design elements. If necessary when a garage faces a side elevation on a corner it shall be designed as an extension of the primary elevation.

b. Attached Residences / Multi-family Buildings

1. Grouping of townhomes/row homes shall have a minimum separation of 10 ft every 180 ft or 8 units whichever is less. This separation shall allow for pedestrian access and circulation to/from alleys and through the neighborhood.
2. Townhomes/Row Houses on corner lots shall be designed and situated so that both street frontages are front facades; with corner elements and architectural compositions encouraged to create handsome facades on both sides.
3. Multi-family buildings are encouraged to be designed with pedestrian friendly outdoor elements such as extended/projecting eaves for shade and the use of loggias, porches, terraces, and/or courtyards.

4. Where a building faces any Street Zone, Greenway Zone, or Park Space, at least 10% of the wall area of the first two floors must consist of glazing unless building code prevents windows on such facades. The area of a garage door is not counted in this calculation.

c. Residential Development Adjacent to Public Parks

1. Where residential development abuts public parkland, the development shall meet the standards depicted in Figure 4.4.3.

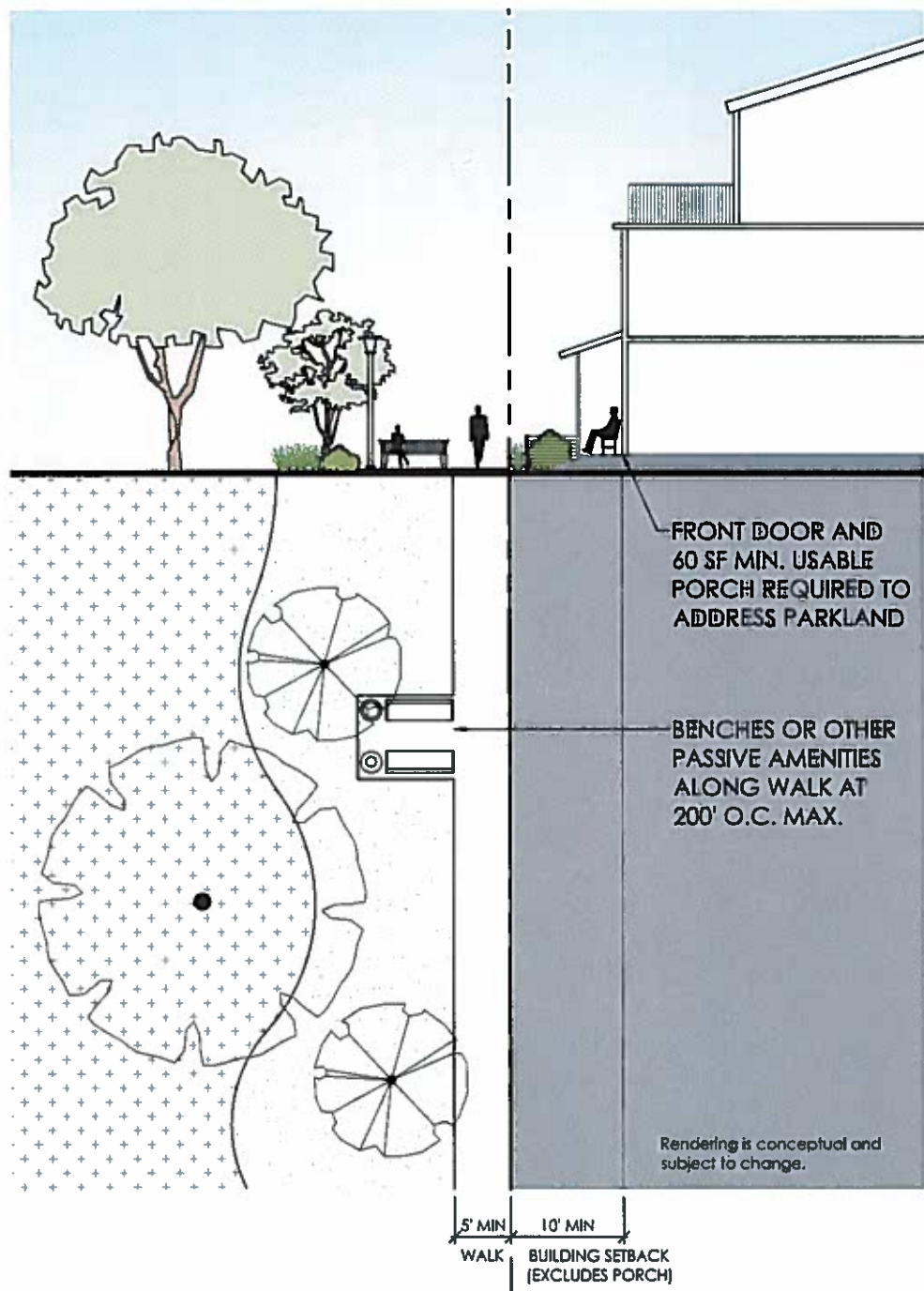


Figure 4.4.3: Residential Development on Parks



## **5.0 Landscape and Open Space**

### **5.1 Intent**

Section 5 of The Grove at Shoal Creek Design Guidelines establish standards to ensure that the landscape, park space, and open space elements within the project support the overall Guiding Principles of The Grove. Landscape elements throughout the project will be implemented in ways that enhance experience of the urban spaces, create high quality parks, and support environmental sustainability. The intent of this section is to:

**5.1.1** Ensure the creation of high quality parks and common open spaces for the enjoyment of residents and visitors alike.

**5.1.2** Ensure that the landscape within the streetscapes of The Grove provides shade as well as a quality environment.

**5.1.3** Ensure screening of equipment and utilities.

**5.1.4** Provide standards for lighting within The Grove to minimize off-site impacts.

**5.1.5** Provide standards for signage within The Grove, allow signage as advertisement to support economic sustainability, and encourage signage that is pedestrian scaled and supportive of the urban vision for The Grove.

### **5.2 Parks and Open Spaces**

#### **5.2.1 Introduction**

The park spaces throughout the site are meant to provide a variety of uses and activities to serve the area neighborhoods and create space for multi-modal and sustainable infrastructure. Park Space includes both publicly dedicated and privately owned but publicly accessible open spaces. As shown on the PUD Parks Plan (Figure 5.1), the park spaces will consist of:

- The Signature Park (16.25 acres minimum) along Shoal Creek
- A public plaza within the Mixed-Use District
- A Central Greenbelt connecting the Residential and Mixed-use Districts (ref. Framework section)
- A North Greenbelt connecting Bull Creek Road to the Signature Park (ref. Framework section)
- A Pocket Park along Bull Creek Road

#### **5.2.2 Signature Park**

The Signature Park will be the largest park at The Grove and will house most of the site's mature oak trees. The following guidelines should be used in developing plans for the Signature Park:

- The park character should evolve from an urban, active edge on its west end to a restored natural area with trails and enhanced native prairie and grow zone on its east end, as it approaches Shoal Creek.

- Amenities within the Signature Park should include, at a minimum: a children's playscape, paved trails, soft-surface trails, a wet pond with overlooks and picnic areas, an open lawn area and the Shoal Creek Trail on the eastern edge of the project.
- Outside of trails and necessary parking, large areas of paving should generally be avoided in the Signature Park.
- Great care should be taken in preserving the existing trees in the Signature Park. While it is important to provide park users with access to the trees and the shade they provide, care should be taken when planning or constructing improvements within the critical root zone of existing trees.

### 5.2.3 Central Plaza

The Central Plaza will be the central urban gathering place within the project. The following guidelines should be used in developing plans for the Central Plaza:

- Provide plenty of shade with shade structures and/or shade trees.
- While heavy use will dictate large paved areas in the plaza, ensure green spaces are integrated as frequently as practical.
- Outdoor dining should be encouraged for restaurant uses surrounding the plaza. Kiosks are also encouraged.
- An interactive water feature is encouraged within the plaza.

### 5.2.4 Bull Creek Road Pocket Park

Situated around a grove of mature live oaks, the Bull Creek Road Pocket Park will provide a welcoming entrance into the residential portion of the site off of Bull Creek Road as well as a neighborhood amenity for the site and nearby neighbors. The following guidelines should be used in developing plans for the Bull Creek Road Pocket Park:

- Open lawn space for passive uses should predominate the park
- Amenities may include a picnic pavilion, a small children's play area, a garden area, sidewalks, and trails.
- Great care should be taken in preserving the existing trees in the Pocket Park. While it is important to provide park users with access to the trees and the shade they provide, care should be taken when planning or constructing improvements within the critical root zone of existing trees.

### 5.2.5 Additional Pocket Parks

Additional pocket parks may be included throughout the site to provide small amenity and gathering spaces near homes and places of business. Where included, these pocket parks should generally be at least 10,000 SF in size and should include a range of passive amenities, which may include:

- Open lawn
- Gardens
- Seating and picnic areas
- Small gazebos or shade structures
- Small gathering spaces

### 5.2.6 Other Green Spaces

Throughout the site there may be additional, dispersed green spaces. These spaces should take a form and character that complements the context in which they lie. Raingardens and other green infrastructure are encouraged to be included where feasible and appropriate within the overall drainage of the site.

### 5.2.7 Greenbelts and Trails

Reference Section 3

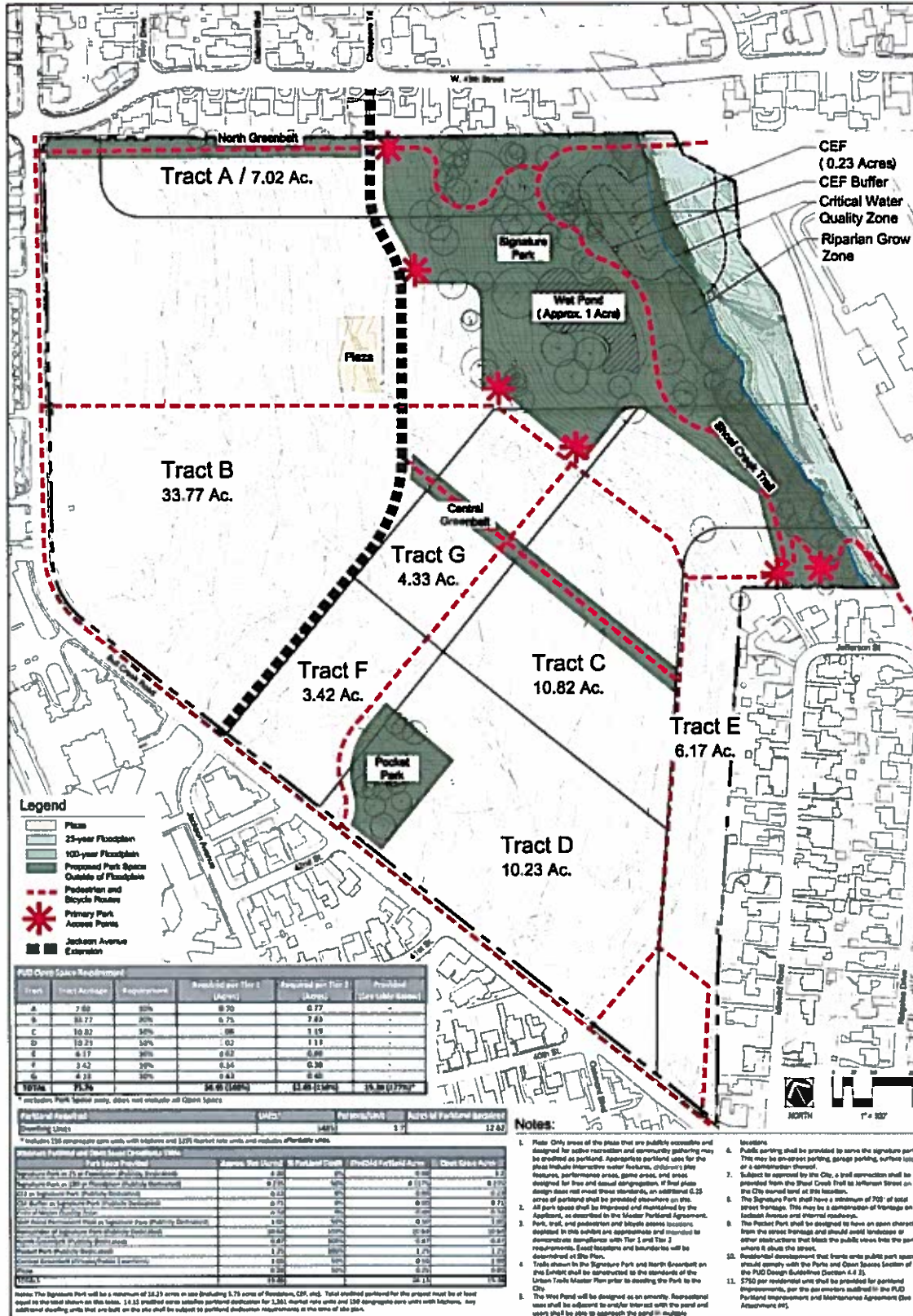


Figure 5.1: PUD Parks Plan Exhibit

### 5.3 Landscape and Streetscape

#### 5.3.1 Landscape Character and Plant Selection

a. Landscape applications should complement the context in which they are located. For example, landscape in an urban setting may include more intensive treatments. Landscape in the parks and green spaces should have a natural look with lawns and organic planting patterns among the existing trees. Landscape in the residential areas should focus on creating a sense of safety and community with well maintained and diverse plantings.

b. Native and drought tolerant plant species should be used as much as possible. A minimum of 95% of non-turf plant materials on any project should be from the Austin Grow Green Guide or should demonstrate equal appropriateness to the Austin environment.

#### 5.3.2 Street Trees

a. Street trees shall be provided as specified in the Framework Section. Spacings specified are intended to be approximate and may vary based on infrastructure, intersections, driveways, utilities, etc.

b. Street trees shall be a minimum of 3" caliper measured 6" above the base at the time of planting. Street trees may be counted toward requirements for mitigation of existing trees.

c. Street tree species should vary throughout the site. While a single street or project may contain a monoculture of trees, no single species should represent more than 25% of street trees planted at The Grove. This requirement is intended to apply to the site as a whole and should not apply to any one street, project, or site plan.

#### 5.3.3 Green Infrastructure

a. Raingardens, bioswales, and other green infrastructure elements shall be designed and landscaped to create a well-maintained and visually appealing character.

b. Green infrastructure elements shall be planted in accordance with the City of Austin Environmental Criteria Manual, in effect on the date of approval of these guidelines.

#### 5.3.4 Tree preservation and replacement

a. Tree preservation for this project is dictated by the approved PUD Ordinance.

b. All healthy, non-invasive trees on site should be preserved to the extent feasible, unless those trees are creating a negative impact on higher value trees (e.g. located too closely together causing competition for space and nutrients). Removal and mitigation of these trees is governed by the Tree Disposition Plan attached to the PUD.

c. Preservation of trees shall be in accordance with the City of Austin Code and Environmental Criteria Manual.



### 5.3.5 Street Furniture and Paving

- a. Furnishings such as benches, trash and recycling receptacles, etc should be placed within the high pedestrian traffic areas and transit stops at intervals which ensure convenience and comfort.
- b. The aesthetics of the site furnishings should create a cohesive theme throughout the project. But may vary depending on context. For example, furnishings may be a more contemporary style in the urban plaza and a more classic style along trails in the signature park.
- c. Special pavement applications are encouraged in plaza areas, other specialty pedestrian areas, and may be used to help delineate pedestrian crossing. Permeable pavers or porous pavements may be considered where possible.

### 5.3.6 Screening of Equipment and Utilities

- a. All mechanical equipment and utilities, with the exception of solar panels, shall be screened from view from the streets by either landscaping or decorative enclosure.
- b. Loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions shall be incorporated into the overall design of the building and landscape so that the visual impacts of these functions are contained and out of street-level view from adjacent streets and street zones. Screening materials for solid waste collection and loading areas shall be the same as, or of equal quality to, the materials used for the principal building. These functions may be placed along commercial alleys without the necessity of screening from the alley.

### 5.3.7 Walls and Fences

Fencing is allowed on site and is generally encouraged where necessary to define private spaces and create necessary boundaries between uses. Fencing in the residential zone shall meet the following standards:

- a. Fences or walls located at the sides or backs of buildings are permitted and may be up to 7 feet in height. These fences shall be constructed of wood, decorative metal, masonry, or other quality materials.
- b. Fences located between the front of buildings and the street zone are allowed in the Residential Zone only to define private front yard spaces. These fences must be no greater than 4' in height and must be constructed of wood, decorative metal, masonry, or similar quality material. Height limit is not inclusive of any retaining walls.



### 5.4 Exterior Lighting

#### 5.4.1 Street and Area Lighting

Lighting is an important component to site safety. Street lighting should provide light for both the vehicular lanes and pedestrian sidewalks. Lighting along pedestrian paths and within parks should meet minimum safety standards in all locations where night use is expected.

All site and area lighting shall limit off-site impacts by meeting the following requirements based on the International Dark-Sky Association / Illuminating Engineering Society Joint Model Lighting Ordinance published in 2011, and utilizing the BUG rating system. The BUG rating system consists of three components: B (Backlight), U (Uplight), and G (Glare). The following requirements are for all site and area lighting fixtures on site:

- a. The maximum allowable Uplight rating shall be U2. Fixtures that do not have a BUG rating but are rated as Full Cut-off shall be assumed to be in compliance with this requirement.
- b. For fixtures located less than 2 mounting heights from the boundary of the The Grove at Shoal Creek, the maximum Backlight rating shall be B2.
- c. For fixtures located less than 2 mounting heights from the boundary of The Grove at Shoal Creek, the maximum Glare rating shall be G1.
- d. Where the site abuts Bull Creek Road, the centerline of the road shall be considered the boundary of The Grove at Shoal Creek for the purposes of determining compliance with the above requirements.

#### 5.4.2 Accent Lighting

Lighting is also a useful tool for enhancing architectural and landscape aesthetics and enjoyment of a site. Accent lighting should be utilized to highlight trees, architectural elements, landscape elements, artwork, and other unique features as appropriate, especially in the public plaza and along the Retail Street. The following regulations will govern accent lighting:

##### a. Directional Luminaires

Directional Luminaires may be used to illuminate signs and flagpoles. Such luminaires shall be installed and aimed so that they illuminate only the specific object or area and do not shine directly onto neighboring properties or roadways.

##### b. Landscape Lighting

Uplighting and downlighting of trees, artwork, kiosks, and other landscape features shall be allowed. Landscape lighting fixtures must be 24 volts or less unless they are directed downward and shielded.

### **c. Lighting of Building Facades**

1. Downlighting of buildings and structures is permitted if fixtures are fully shielded or full cut-off or if they meet the requirements below for Uplighting.
2. Uplighting of building facades should only be used to highlight specific architectural features such as principal entrances, corners, terminus elements, and towers, and allowed in the Mixed-use District only. Luminaires used for uplighting are limited to 100 Lumens per linear foot of façade to be lit (measured horizontally), unless the fixture is 24 volts or less.
3. Direct view fixtures are permitted in the Mixed-use District on building facades and are limited to 250 lumens per linear foot of fixture.

### **d. Festoon Lighting**

String lights and festoon lighting are permitted over roadways and in outdoor use areas within the Mixed Use District as temporary or permanent installations.

## **5.5 Signage**

### **5.5.1 Free Standing Signs**

#### **a. Community Identity Signs**

For each vehicular entry to the project depicted on the Land Use Plan, two permanent subdivision identification signs with a combined sign area of not more than 128 square feet and height not exceeding 6 feet are permitted. One additional sign with a sign area of not more than 64 square feet and height not exceeding 6 feet is permitted at the northwest corner of the site near the intersection of Bull Creek Road and 45th Street.

#### **b. Commercial Multi-tenant Signs**

Up to two (2) multi-tenant signs are allowed for The Grove at Shoal Creek development. These signs are subject to the following standards:

- A maximum area of 250 square feet
- A maximum height of 20'

#### **c. Project Identity Signs**

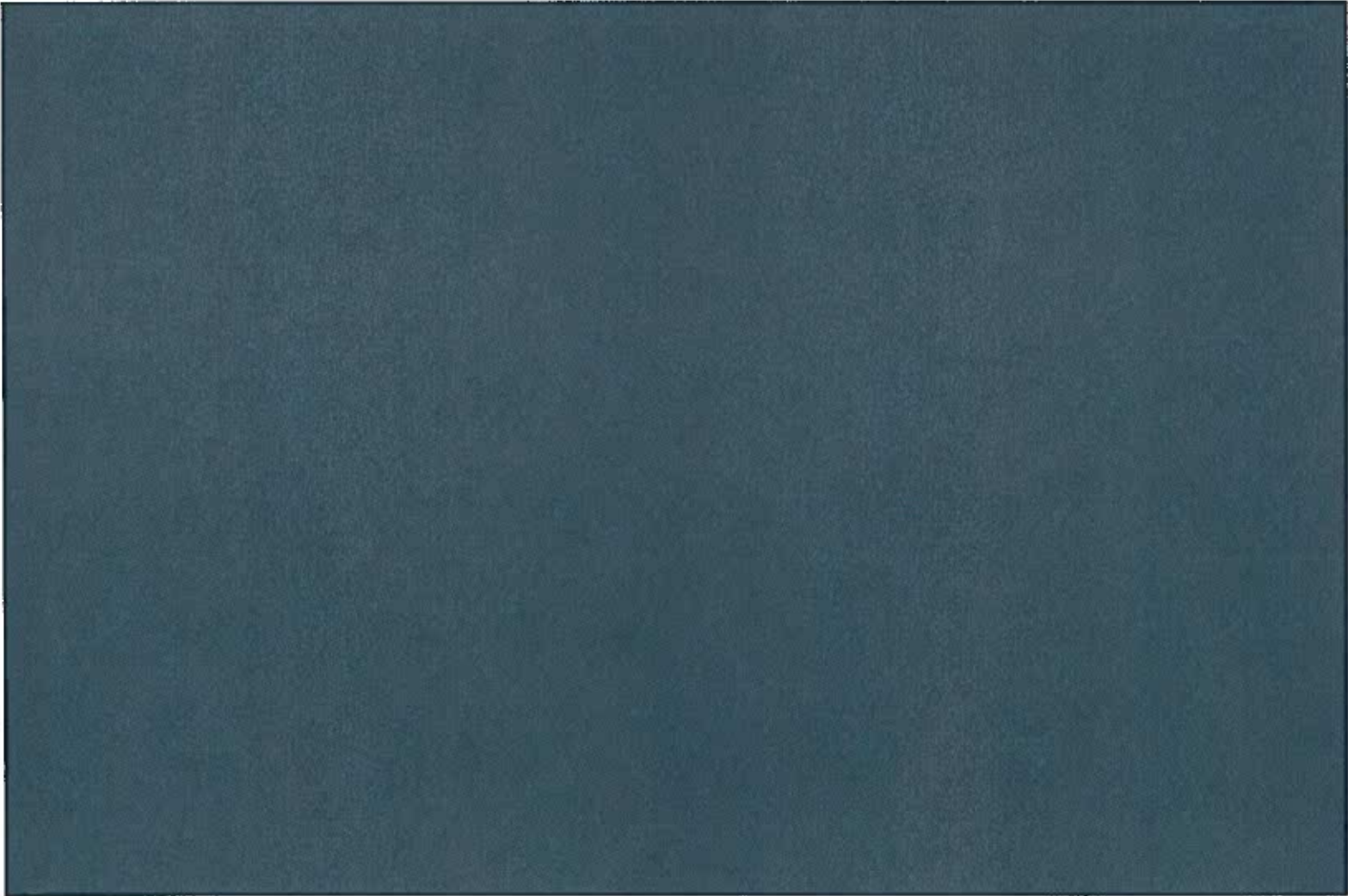
For each building containing a non-residential use or more than one residence, a free standing sign is permitted on the same lot. This sign shall not exceed 35 sf in area or 6' in height.

### **5.5.2 Building Signs**

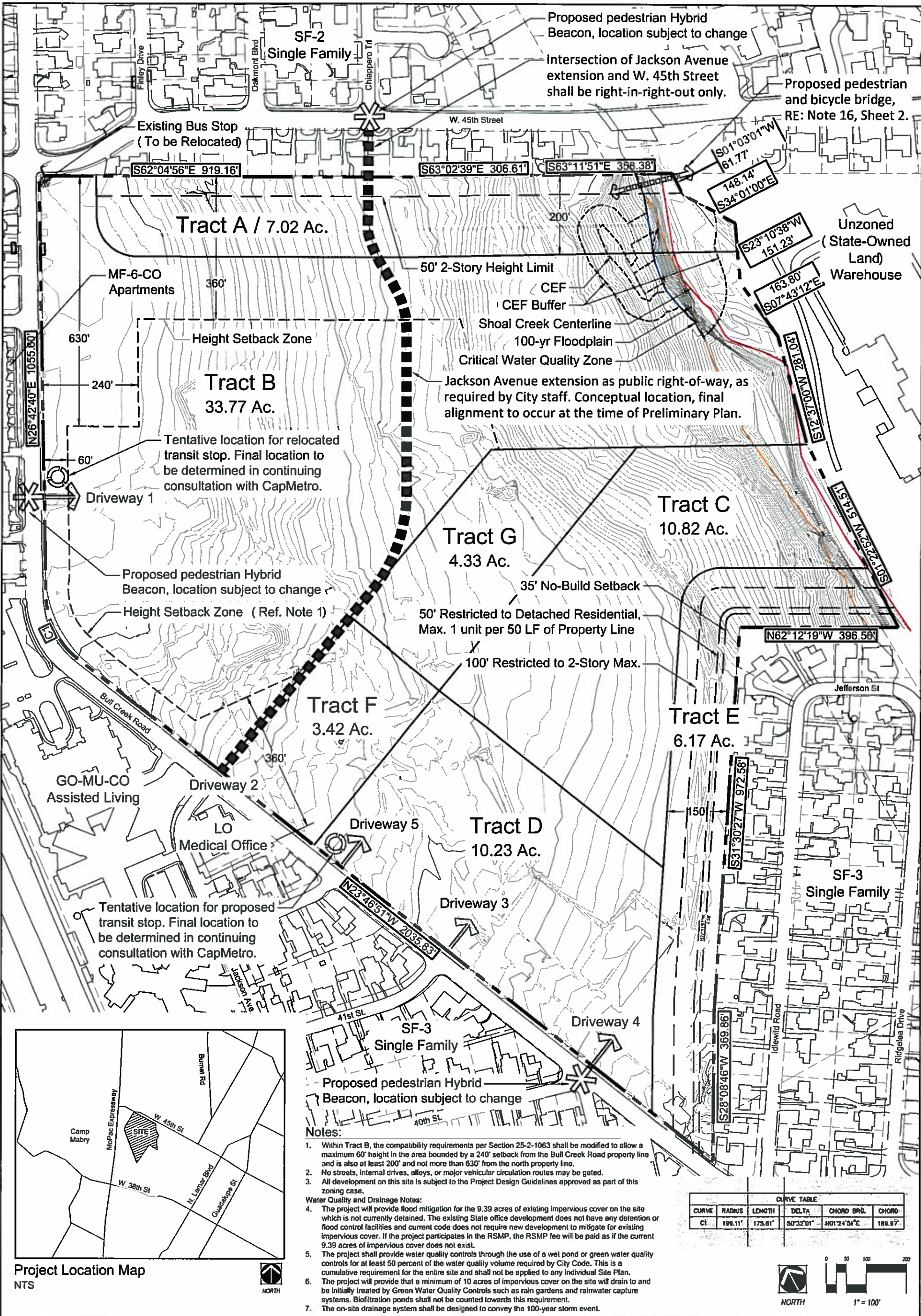
Building signs are permitted on all buildings within The Grove except detached single family residences. Blade signs, awning signs, under-canopy signs, heraldic signs, and letter-mounted signs are encouraged. The total sign area on any building shall not exceed 20 percent of the façade area of the first 15 feet of the building.

### **5.5.3 Non-permanent Signs**

Signs such as commercial flags and street banners add vibrancy and character to the street scene and reinforce community events and programs. These temporary signs are permitted within the boundaries of The Grove at Shoal Creek without restriction.







- Notes:**
1. Within Tract B, the compatibility requirements per Section 25-2-1063 shall be modified to allow a maximum 60' height in the area bounded by a 240' setback from the Bull Creek Road property line and is also at least 200' and not more than 630' from the north property line.
  2. No streets, internal drives, alleys, or major vehicular circulation routes may be gated.
  3. All development on this site is subject to the Project Design Guidelines approved as part of this zoning case.
- Water Quality and Drainage Notes:**
4. The project will provide flood mitigation for the 9.39 acres of existing impervious cover on the site which is not currently detained. The existing State office development does not have any detention or flood control facilities and current code does not require new development to mitigate for existing impervious cover. If the project participates in the RSMP, the RSMP fee will be paid as if the current 9.39 acres of impervious cover does not exist.
  5. The project shall provide water quality controls through the use of a wet pond or green water quality controls for at least 50 percent of the water quality volume required by City Code. This is a cumulative requirement for the entire site and shall not be applied to any individual Site Plan.
  6. The project will provide that a minimum of 10 acres of impervious cover on the site will drain to and be initially treated by Green Water Quality Controls such as rain gardens and rainwater capture systems. Biofiltration ponds shall not be counted towards this requirement.
  7. The on-site drainage system shall be designed to convey the 100-year storm event.

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG.
CL	199.11'	175.61'	50°32'01"	N01°24'51"E
				189.97'



TRACTS A & E
Condominium Residential
Duplex Residential
Family Home
Group Home, Class I (Limited)
Public Primary Education Facilities
Public Secondary Education Facilities
Religious Assembly
Retirement Housing (Small Site)
Short-Term Rental
Single-Family Attached Residential
Single-Family Residential
Small Lot Single-Family Residential
Townhouse Residential
Two-Family Residential

TRACT D
Community Garden
Condominium Residential
Congregate Living
Duplex Residential
Family Home
Group Home, Class I (Limited)
Multifamily Residential
Off-site Accessory Parking
Public Primary Education Facilities
Public Secondary Education Facilities
Religious Assembly
Retirement Housing (Small Site)
Short-Term Rental
Single-Family Attached Residential
Single-Family Residential
Small Lot Single-Family Residential
Townhouse Residential
Two-Family Residential
Urban Farm

TRACT C
Community Garden
Condominium Residential
Congregate Living
Duplex Residential
Family Home
Group Home, Class I (Limited)
Multifamily Residential
Off-Site Accessory Parking
Public Primary Education Facilities
Public Secondary Education Facilities
Religious Assembly
Retirement Housing (Small Site)
Short-Term Rental
Single-Family Attached Residential
Single-Family Residential
Small Lot Single-Family Residential
Townhouse Residential
Two-Family Residential
Urban Farm

TRACT F&G
Administrative & Business Offices
Art Gallery
Art Workshop
Community Garden
Condominium Residential
Congregate Living
Counseling Services
Cultural Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Duplex Residential
Family Home
Financial Services
Group Home, Class I (Limited)
Group Residential
Hospital (General)
Live-Work Units
Medical Offices (all sizes)
Multifamily Residential
Off-site Accessory Parking
Personal Services
Pet Services
Private Primary Education Facilities
Private Secondary Education Facilities
Professional Office
Public Primary Education Facilities
Public Secondary Education Facilities
Religious Assembly
Retirement Housing (Small Site)
Short-Term Rental
Single-Family Attached Residential
Software Development
Townhouse Residential
Two-Family Residential
Urban Farm

OPEN SPACE (Permitted in all Tracts)
Drainage, Detention & Water Quality Facilities
Trails (hiking trails, multi-use trails, pedestrian/bicycle bridges) and Related Improvements
Open Space (privately owned and maintained)
Parkland (City owned, may be privately maintained)
Community Recreation (Public and Private)
Parks and Recreation Services (General)

TRACT B
Administrative & Business Offices
Art Gallery
Art Workshop
Automotive Rentals
Automotive Sales (max. 3000 SF)
Automotive Washing (accessory only)
Business or Trade School
Business Support Services
Cocktail Lounge
College & University Facilities
Commercial Off-Street Parking
Community Garden
Community Recreation (Private)
Community Recreation (Public)
Condominium Residential
Congregate Living
Consumer Convenience Services
Consumer Repair Services
Counseling Services
Cultural Services
Day Care Services (Commercial)
Day Care Services (General)
Day Care Services (Limited)
Duplex Residential
Family Home
Financial Services
Food Preparation
Food Sales
General Retail Sales (Convenience)
General Retail Sales (General)
Group Home, Class I (Limited)
Group Residential
Hospital (General)
Hospital Services (Limited)
Hotel-Motel
Indoor Entertainment
Indoor Sports & Recreation
Liquor Sales
Live-Work Units
Medical Offices (all sizes)
Mobile Food Establishments
Multifamily Residential
Off-Site Accessory Parking
Outdoor Sports & Recreation
Personal Improvement Services
Personal Services
Pet Services
Printing & Publishing
Private Primary Education Facilities
Private Secondary Education Facilities
Professional Office
Public Primary Education Facilities
Public Secondary Education Facilities
Religious Assembly
Research Services
Restaurant (General)
Restaurant (Limited)
Retirement Housing (Small Site)
Safety Services
Short-Term Rental
Single-Family Attached Residential
Single-Family Residential*
Small Lot Single-Family Residential*
Software Development
Theater
Townhouse Residential
Two-Family Residential
Urban Farm

\* Single-family detached uses permitted only within 150' of the boundary of Tract A

Notes:

1. Impervious cover, number of dwelling units, and building coverage are not listed per individual Tracts in the Site Development Regulations table and shall be dealt with via a "bucket" system. Individual Tracts and/or Site Plans may vary above or below the listed limits, as long as the calculation for the overall 75.76 acre site does not exceed the limit. Applicants shall add a tabulation table (as adopted per this PUD ordinance) to each site plan and subdivision application submittal which will show the current standing of of the overall Site Development Regulations. City Staff shall review the table provided with each application and verify that it is in accordance with the Site Development Regulations outlined in the PUD Land Use Plan.

2. Total residential units on the site is capped at 1335 dwelling units (affordable housing units are not included in this cap). Affordable housing units are defined as rental or for-sale units that are restricted to 120% MFI or below. Congregate living does not count towards this 1335 unit cap, and is limited to a maximum of 300 beds.

3. Total multi-family residential units, that are not also condominium residential units, on the site are capped at 650 dwelling units. Congregate living and the first 250 affordable housing units do not count towards this 650 unit cap.

4. Total office uses on site, including Administrative and Business Office, Medical Office, and Professional Office, are capped at 210,000 square feet.

5. Total non-office commercial uses on the site are capped at 150,000 square feet and a maximum size of 47,500 square feet for any one tenant space.

6. Overall project impervious cover is capped at 65% and overall project building coverage is capped at 55%.

7. The FAR maximums listed in the Site Development Regulations table apply to Individual Tracts within the PUD and the FAR shall not be exceeded on an individual Tract basis but may be exceeded on an individual site plan within a Tract. Tackling the allotted and remaining FAR within each Tract is the responsibility of the Applicant.

8. Parks and open space are allowed uses in all Tracts.

9. Cocktail lounge uses are capped at 15,000 SF total and a maximum size of 7500 SF for any one tenant space. Additionally, cocktail lounge uses are not permitted within 300' of an SF-5 or more restrictive zoning district or properties on which uses permitted in an SF-5 or more restrictive zoning district are located.

10. Liquor sales uses are capped at 15,000 SF total and a maximum size of 10,000 SF for any one tenant space.

11. Hospital (General) uses are allowed only in association with Congregate Living, on the same site as Congregate Living, and are limited to a total of 65,000 SF.

12. Live-work units are defined as residential units which are similarly configured to residential row houses or townhomes but are distinguished by a workspace, studio, storefront, or business that is flush the with street frontage. The non-residential portion of the unit shall be located on the ground floor only and the residential and non-residential areas must be used and occupied by the same owner or occupant.

13. Driveway and trail locations shown on the Land Use Plan are approximate and will be determined at the time of Site Plan.

14. Public art shall be installed in a minimum of three (3) locations throughout the project. A minimum budget of \$60,000 shall be spent on public art within the PUD site.

15. Off-site Parking per 25-6-501 may be provided for a use located in any Tract within the PUD so long as the off-site parking is located in a Tract where Off-site Accessory Parking is a permitted use.

16. Proposed Pedestrian and Bicycle Bridge over Shoal Creek:

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

16.b. Bridge location shown is approximate and subject to change. Bridge may be located elsewhere on site with City approval so long as it does not impact the wetland CEF or the portion of the wetland CEF buffer that is outside the 100-year flood plain.

17. The project shall provide the following benefits to encourage alternative transportation options:

17.a. A minimum of one location shall be set aside for a B-cycle station, as coordinated with B-cycle (station to be installed by B-cycle when network is expanded to encompass project).

17.b. A minimum of 8 car-sharing parking spaces will be reserved on the site, subject to inclusion of the site in the coverage area of a car-share service.

17.c. All office buildings that are 10,000 SF or greater will provide shower and changing facilities meeting the requirements of Austin Energy Green Build Commercial Ratings (2013).

17.d. Bike parking will be provided for a minimum of 10% of all required vehicular parking spaces. Private garages serving a residential unit are considered to meet this requirement.

17.e. A minimum of two bus stops will be provided on Bull Creek Road for any bus route located along Bull Creek Road. Each stop shall feature improvements including, at a minimum: a bench, a trash receptacle, and some form of shade located nearby (shade structure, bus shelter, trees, etc.). Bus stops should be approximately 25 feet in length by 10 feet in width and incorporated into the sidewalk. A larger area of approximately 15 feet in width (perpendicular to the road by 50 feet in length (parallel to the road) surrounding the stop should maintain a level slope to ensure that all ADA slope requirements are met.

17.f. All multi-family developments shall incorporate bicycle cage parking for residents.

18. The total square footage of all development in the PUD shall not exceed 2.65 million square feet.

18.a. At least 30,000 square feet of retail development shall be required once 700 units of residential development are constructed before any additional residential development can occur on the property.

18.b. At least 35% of the total required affordable rental units shall be provided once 325 multi-family residential units are constructed before any additional multi-family units may be constructed. At least 35% of the total required affordable for-sale residential units shall be provided once 100 "podium style" condominium residential units are constructed before any additional "podium style" condominium residential units may be constructed.

18.c. 130,000 square feet of development may be used for Tier 2 affordable housing that is separate from and does not count against the overall development cap of 2.65 million square feet.

SITE DEVELOPMENT REGULATIONS							
	TRACT A	TRACT B	TRACT C	TRACT D	TRACT E	TRACT F	TRACT G
Minimum Lot Size in s.f.	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Minimum Lot Width	30'	30'	30'	30'	30'	30'	30'
Maximum Height	40'	65' <sup>(1)</sup>	40' <sup>(2)</sup>	40' <sup>(2)</sup>	35'	40' <sup>(2)</sup>	60'
Minimum Setbacks from Public Streets <sup>(4)</sup>							
Front Yard	10'	0'	10'	0' <sup>(5)</sup>	10'	0'	0'
	Street Side Yard	10'	0'	10'	10'	0'	0'
Minimum Interior Yard Setbacks							
Interior Side Yard	0'	0'	0'	0'	0'	0'	0'
	Rear Yard	0'	0'	0'	0'	0'	0'
Maximum Floor Area Ratio <sup>(5)</sup>	0.75:1	1.5:1	0.75:1	1:1	0.75:1	1:1	1:1
Impervious Cover Maximum <sup>(6)</sup>	55%	NA <sup>(3)</sup>	NA <sup>(3)</sup>	NA <sup>(3)</sup>	55%	NA <sup>(3)</sup>	NA <sup>(3)</sup>
Building Coverage Maximum <sup>(5)</sup>	45%	NA <sup>(3)</sup>	NA <sup>(3)</sup>	NA <sup>(3)</sup>	45%	NA <sup>(3)</sup>	NA <sup>(3)</sup>
Maximum Residential Units	87	NA <sup>(3)</sup>	NA <sup>(3)</sup>	NA <sup>(3)</sup>	77	NA <sup>(3)</sup>	NA <sup>(3)</sup>

DEVELOPMENT ENTITLEMENTS SUMMARY	
Reference Notes 1-18 and Site Development Regulations for additional information.	
Total Impervious Cover	65%
Total Building Coverage	55%
Total Square Footage (Not including Affordable Housing)	2.65 million SF
Additional Square Footage for Affordable Housing Only	130,000 SF
Total Retail Square Footage	150,000 SF
Total Office Use Square Footage	210,000 SF
Total Residential Units (Not including Affordable Housing)	1335 units
Total Apartment Units (Not including Affordable Housing)	650 units
Total Congregate Care Beds	300 beds
Maximum Cocktail Lounge Use Square Footage	15,000 SF
Maximum Liquor Sales Use Square Footage	15,000 SF
Maximum Hospital (General) Use Square Footage	65,000 SF

(1) Up to 5% of Tract B is permitted to be up to 75' in height. This additional height is permitted only within the Height Setback Zone, as shown on the LUP Plan. Height on Tract B may not exceed 5-stories.

(2) Within 100 feet of Tract G, height may be increased to a maximum of 60' for an Affordable Housing development with the project's Affordable Housing Program. A minimum of 25% of the residential units in a building must be affordable under the project's Affordable Housing Program in order for that building to qualify for this height exception. Building height will be required to comply with City of Austin Compatibility Standards.

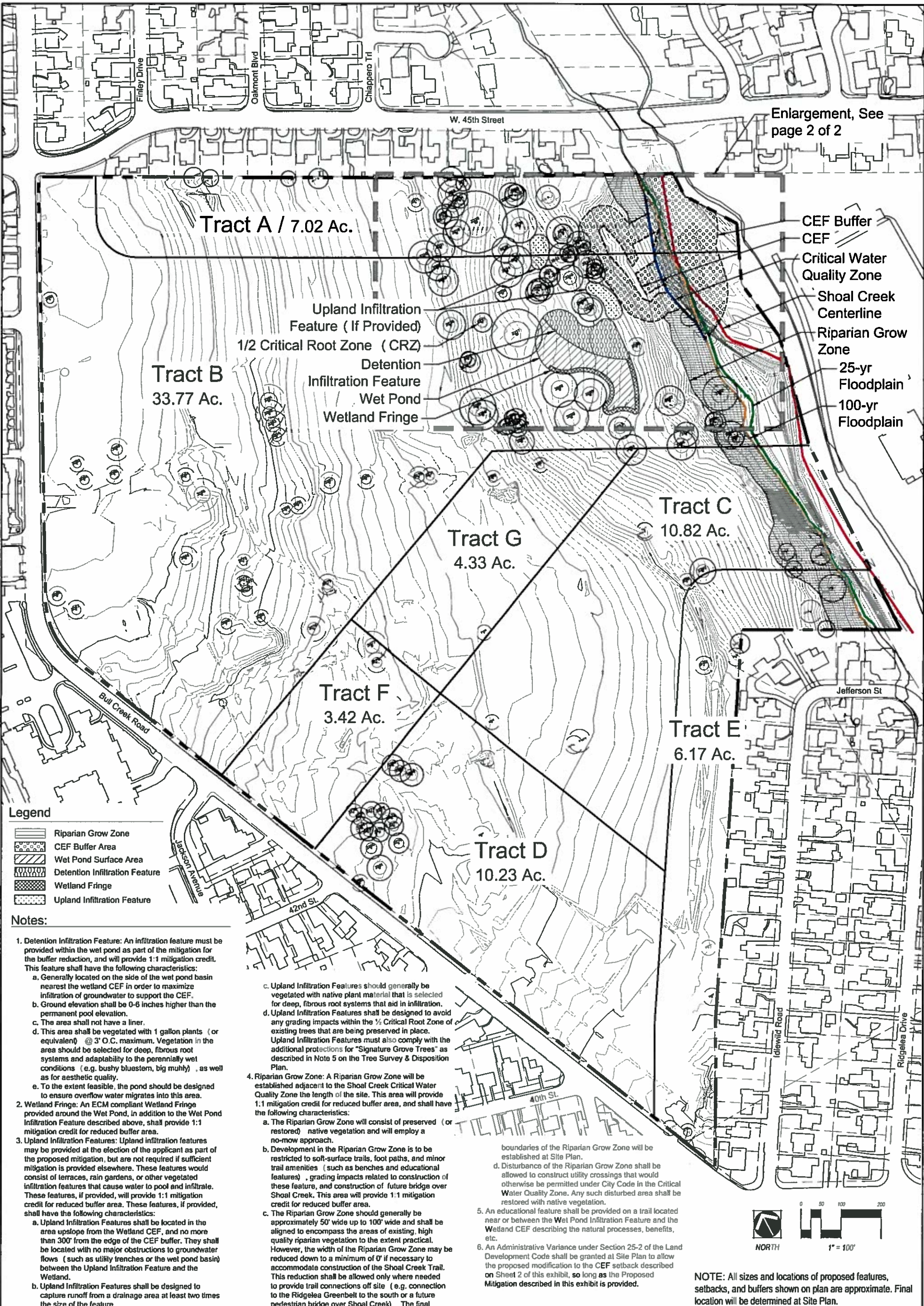
(3) Tracts B, C, D, F, and G do not have Individual Impervious Cover, Building Coverage, or Unit Caps, but they are subject to the overall IC, Building Coverage, and Unit Cap as stated in notes 2 and 6, above.

(4) The minimum setback from Bull Creek Road is 15' for all tracts.

(5) Right-of-Way dedicated from a given tract shall still be included in the total site area to calculate Site Development Regulations including FAR, Impervious Cover, Building Coverage, and Dwelling Units.

(6) The minimum building setback from Bull Creek Road ROW in Tract D is 25'.





Enlargement, See  
page 2 of 2

Legend

- Riparian Grow Zone
- CEF Buffer Area
- Wet Pond Surface Area
- Detention Infiltration Feature
- Wetland Fringe
- Upland Infiltration Feature

Notes:

- Detention Infiltration Feature: An infiltration feature must be provided within the wet pond as part of the mitigation for the buffer reduction, and will provide 1:1 mitigation credit. This feature shall have the following characteristics:
  - Generally located on the side of the wet pond basin nearest the wetland CEF in order to maximize infiltration of groundwater to support the CEF.
  - Ground elevation shall be 0-6 inches higher than the permanent pool elevation.
  - The area shall not have a liner.
  - This area shall be vegetated with 1 gallon plants (or equivalent) @ 3' O.C. maximum. Vegetation in the area should be selected for deep, fibrous root systems and adaptability to the perennially wet conditions (e.g. bushy bluestem, big muhly), as well as for aesthetic quality.
  - To the extent feasible, the pond should be designed to ensure overflow water migrates into this area.
- Wetland Fringe: An ECM compliant Wetland Fringe provided around the Wet Pond, in addition to the Wet Pond Infiltration Feature described above, shall provide 1:1 mitigation credit for reduced buffer area.
- Upland Infiltration Features: Upland infiltration features may be provided at the election of the applicant as part of the proposed mitigation, but are not required if sufficient mitigation is provided elsewhere. These features would consist of terraces, rain gardens, or other vegetated infiltration features that cause water to pool and infiltrate. These features, if provided, will provide 1:1 mitigation credit for reduced buffer area. These features, if provided, shall have the following characteristics:
  - Upland Infiltration Features shall be located in the area upslope from the Wetland CEF, and no more than 300' from the edge of the CEF buffer. They shall be located with no major obstructions to groundwater flows (such as utility trenches or the wet pond basin) between the Upland Infiltration Feature and the Wetland.
  - Upland Infiltration Features shall be designed to capture runoff from a drainage area at least two times the size of the feature.
  - Upland Infiltration Features should generally be vegetated with native plant material that is selected for deep, fibrous root systems that aid in infiltration.
  - Upland Infiltration Features shall be designed to avoid any grading impacts within the 1/2 Critical Root Zone of existing trees that are being preserved in place. Upland Infiltration Features must also comply with the additional protections for "Signature Grove Trees" as described in Note 5 on the Tree Survey & Disposition Plan.
- Riparian Grow Zone: A Riparian Grow Zone will be established adjacent to the Shoal Creek Critical Water Quality Zone the length of the site. This area will provide 1:1 mitigation credit for reduced buffer area, and shall have the following characteristics:
  - The Riparian Grow Zone will consist of preserved (or restored) native vegetation and will employ a no-mow approach.
  - Development in the Riparian Grow Zone is to be restricted to soft-surface trails, foot paths, and minor trail amenities (such as benches and educational features), grading impacts related to construction of these features, and construction of future bridge over Shoal Creek. This area will provide 1:1 mitigation credit for reduced buffer area.
  - The Riparian Grow Zone should generally be approximately 50' wide up to 100' wide and shall be aligned to encompass the areas of existing, high quality riparian vegetation to the extent practical. However, the width of the Riparian Grow Zone may be reduced down to a minimum of 0' if necessary to accommodate construction of the Shoal Creek Trail. This reduction shall be allowed only where needed to provide trail connections off site (e.g. connection to the Ridgela Greenbelt to the south or a future pedestrian bridge over Shoal Creek). The final boundaries of the Riparian Grow Zone will be established at Site Plan.
  - Disturbance of the Riparian Grow Zone shall be allowed to construct utility crossings that would otherwise be permitted under City Code in the Critical Water Quality Zone. Any such disturbed area shall be restored with native vegetation.
- An educational feature shall be provided on a trail located near or between the Wet Pond Infiltration Feature and the Wetland CEF describing the natural processes, benefits, etc.
- An Administrative Variance under Section 25-2 of the Land Development Code shall be granted at Site Plan to allow the proposed modification to the CEF setback described on Sheet 2 of this exhibit, so long as the Proposed Mitigation described in this exhibit is provided.

NOTE: All sizes and locations of proposed features, setbacks, and buffers shown on plan are approximate. Final location will be determined at Site Plan.

# The Grove at Shoal Creek Planned Unit Development Environmental Resource Exhibit

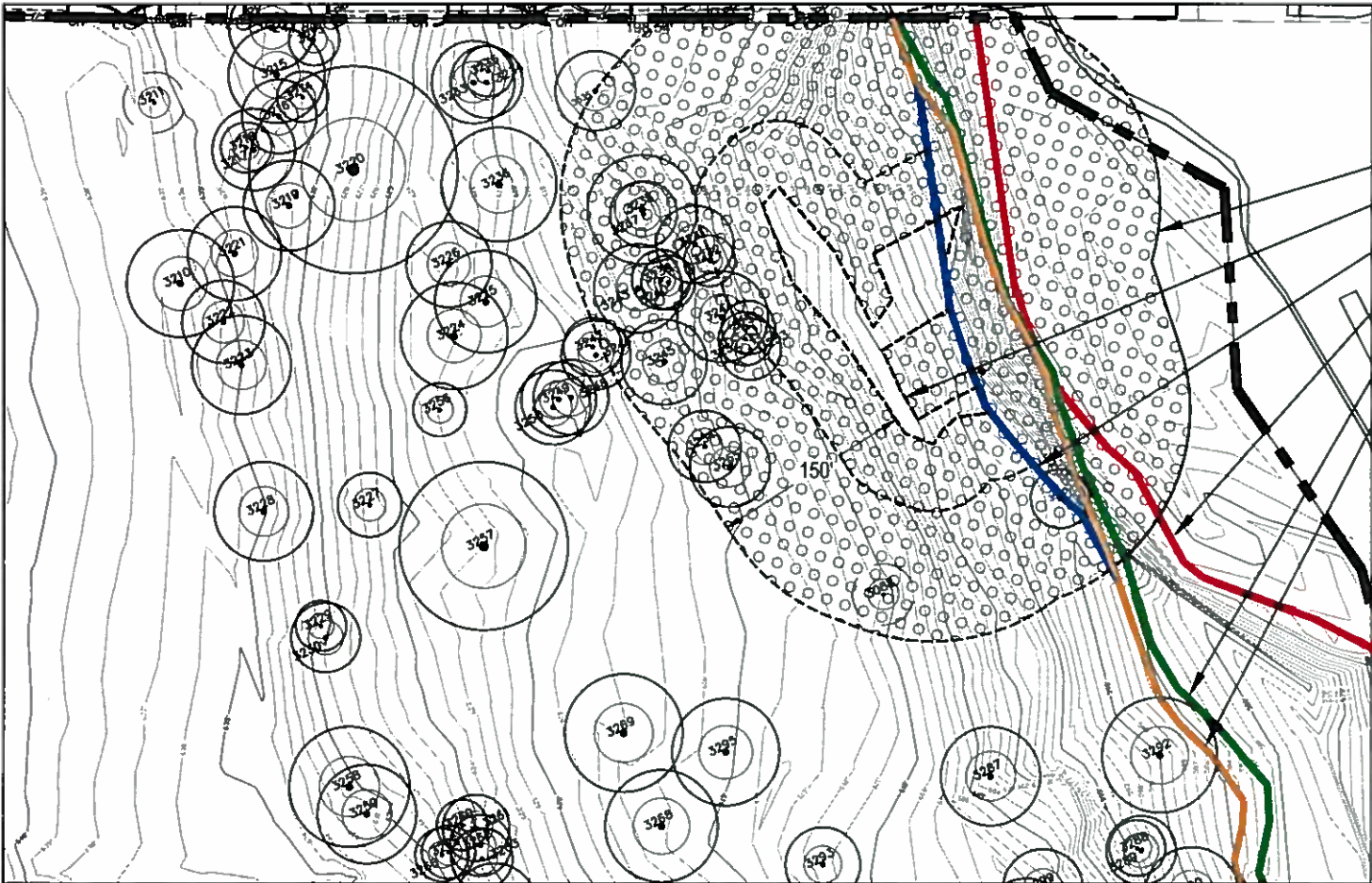
October 24, 2016

Sheet 1 of 2

2121 E. Sixth Street, Ste 203  
Austin, Texas 78702  
P 512.900.7888  
F 303.892.1186  
www.norris-design.com



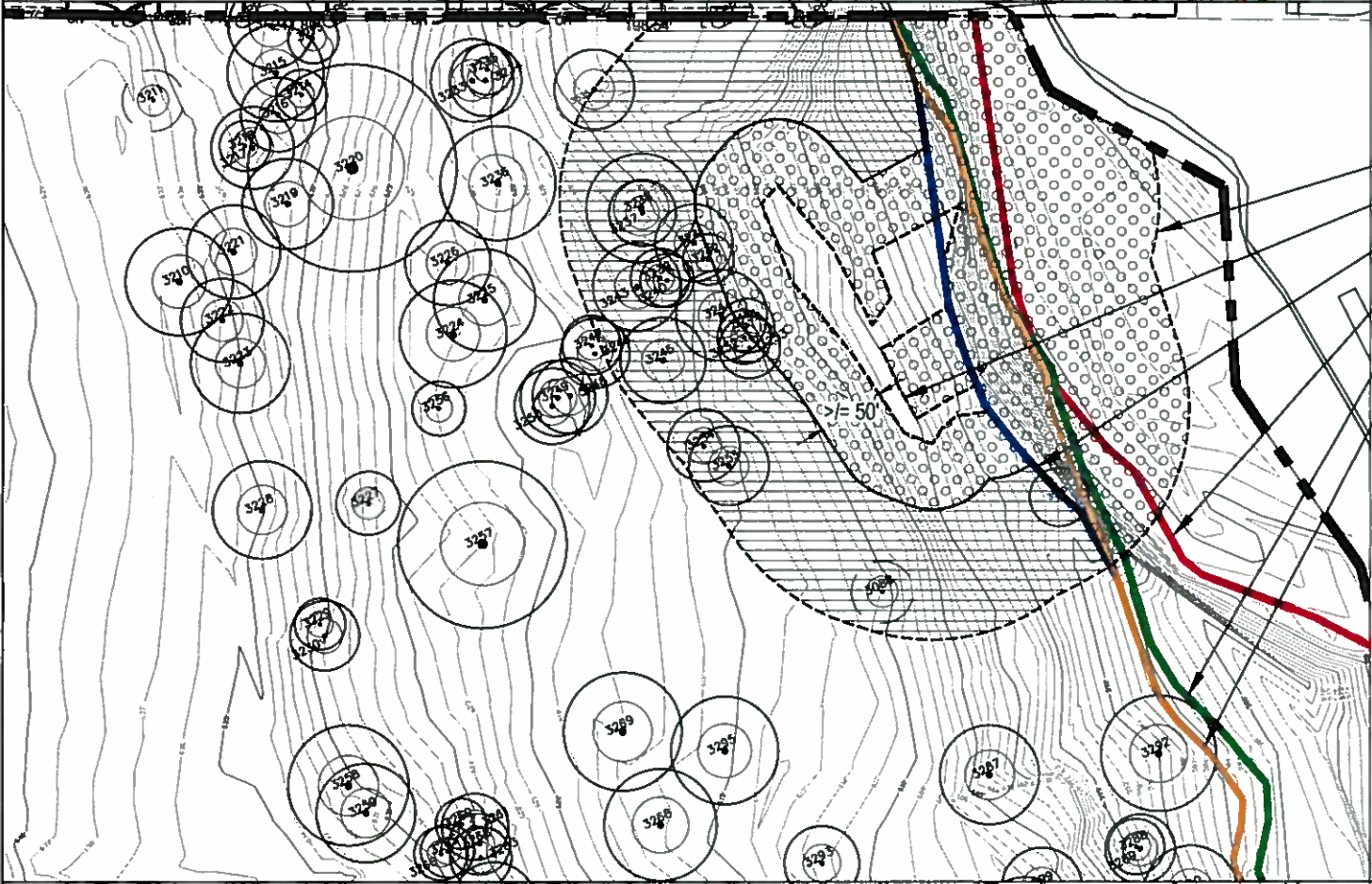




- CEF with Standard  
150 Foot Setback
- 150' CEF Buffer
  - CEF ( 10,019 SF)
  - Critical Water Quality Zone
  - Shoal Creek Centerline
  - 25-yr Floodplain
  - 100-yr Floodplain

Legend

CEF Buffer Area ( 159,865 SF of standard buffer area on site)

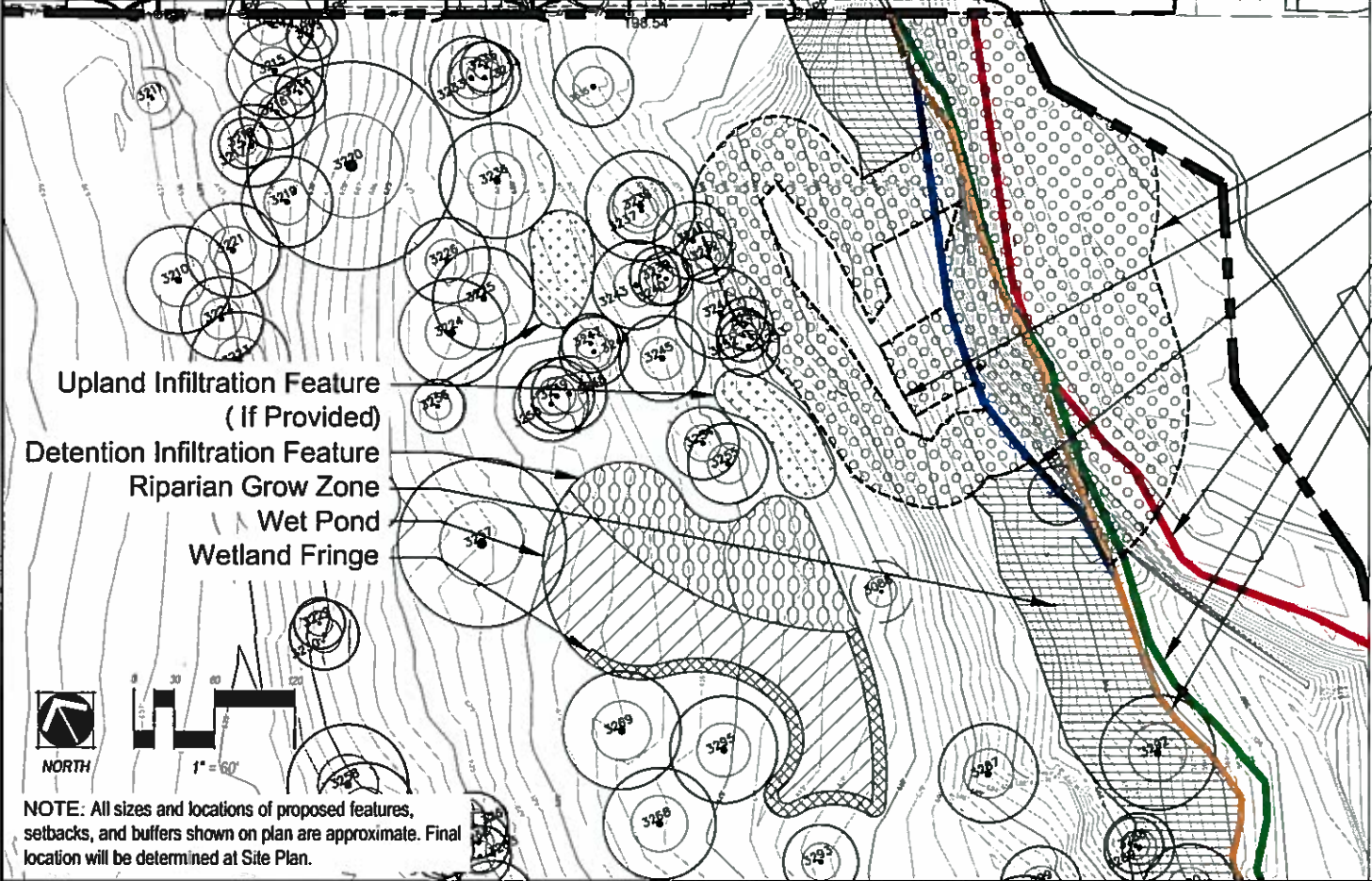


- Proposed Modification to  
CEF Setback
- CEF Buffer
  - CEF ( 10,019 SF)
  - Critical Water Quality Zone
  - Shoal Creek Centerline
  - 25-yr Floodplain
  - 100-yr Floodplain

Legend

CEF Buffer Area ( 83,635 SF of CEF Buffer preserved)

CEF Buffer Area to be Mitigated ( Standard buffer - Preserved buffer = 76,230 SF of buffer to mitigate)



- Upland Infiltration Feature ( If Provided)
- Detention Infiltration Feature
- Riparian Grow Zone
- Wet Pond
- Wetland Fringe

- Proposed Mitigation
- CEF Buffer
  - CEF ( 10,019)
  - Critical Water Quality Zone
  - Shoal Creek Centerline
  - 25-yr Floodplain
  - 100-yr Floodplain

Legend

CEF Buffer Area

Wet Pond Surface Area

Riparian Grow Zone ( Approx. 58,730 SF, no less than 40,000 SF)

Detention Infiltration Feature ( Approx. 10,000 SF, no less than 8,000 SF)

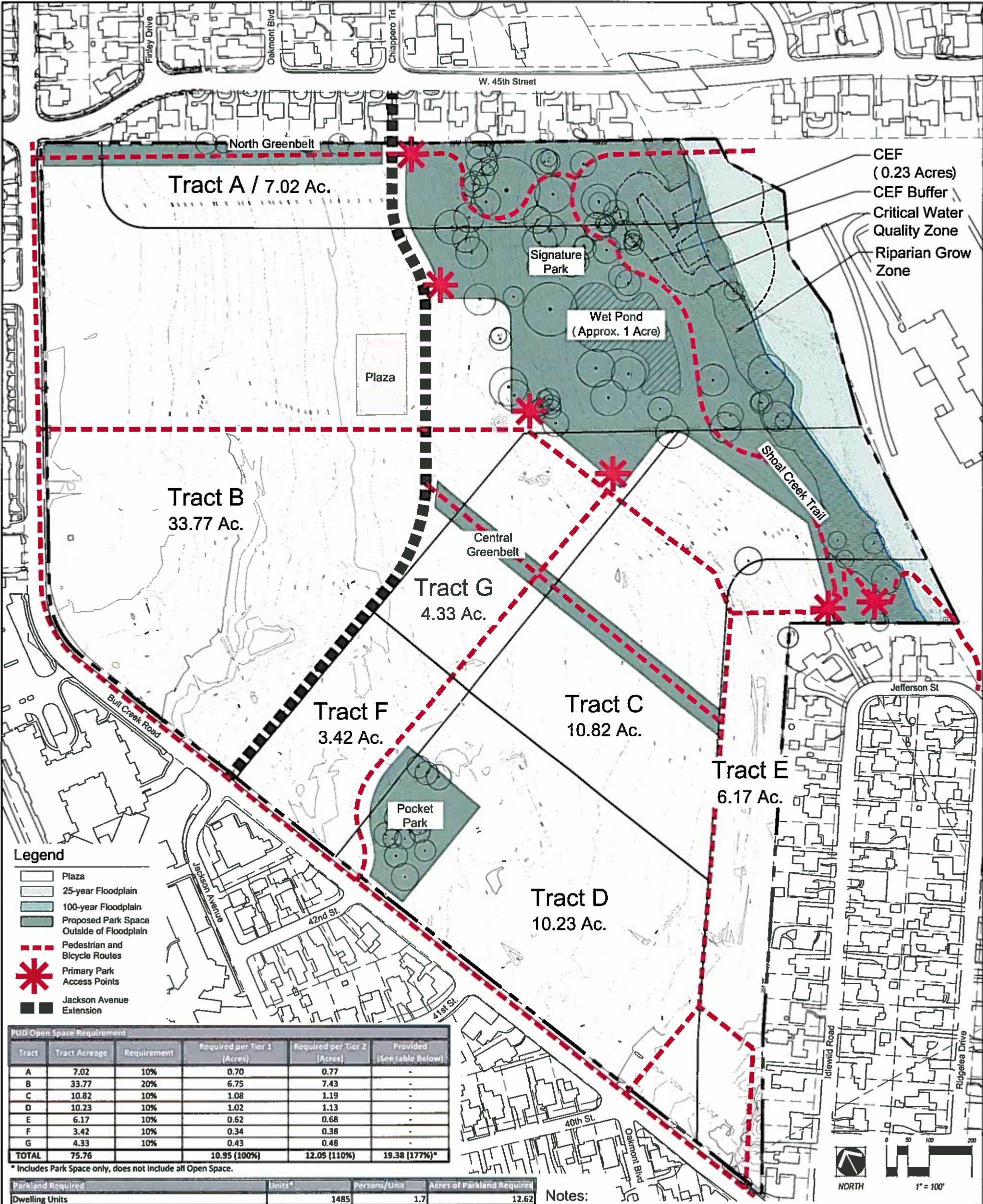
Wetland Fringe ( Approx. 2500 SF, no less than 1000 SF)

Upland Infiltration Feature ( Approx. 5000 SF, no less than 0 SF)

Mitigation Calculation	
Mitigation Required	76,230 SF
Mitigation Provided	
Detention Infiltration Feature	10,000 SF
Wetland Fringe	2500 SF
Upland Infiltration Feature	5000 SF
Riparian Grow Zone	58,730 SF
TOTAL MITIGATION PROVIDED	76,230 SF

NOTE: All sizes and locations of proposed features, setbacks, and buffers shown on plan are approximate. Final location will be determined at Site Plan.





- Legend**
- Plaza
  - 25-year Floodplain
  - 100-year Floodplain
  - Proposed Park Space Outside of Floodplain
  - Pedestrian and Bicycle Routes
  - Primary Park Access Points
  - Jackson Avenue Extension

PUD Open Space Requirement					
Tract	Tract Acreage	Requirement	Required per Tier 1 (Acres)	Required per Tier 2 (Acres)	Provided (See table Below)
A	7.02	10%	0.70	0.77	-
B	33.77	20%	6.75	7.43	-
C	10.82	10%	1.08	1.19	-
D	10.23	10%	1.02	1.13	-
E	6.17	10%	0.62	0.68	-
F	3.42	10%	0.34	0.38	-
G	4.33	10%	0.43	0.48	-
TOTAL	75.76		10.95 (100%)	12.05 (110%)	19.38 (177%)*

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

Parkland Required	Units*	Persons/Unit	Acres of Parkland Required
Dwelling Units	1485	1.7	12.62

\* Includes 150 congregate care units with kitchens and 1335 market rate units and excludes affordable units.

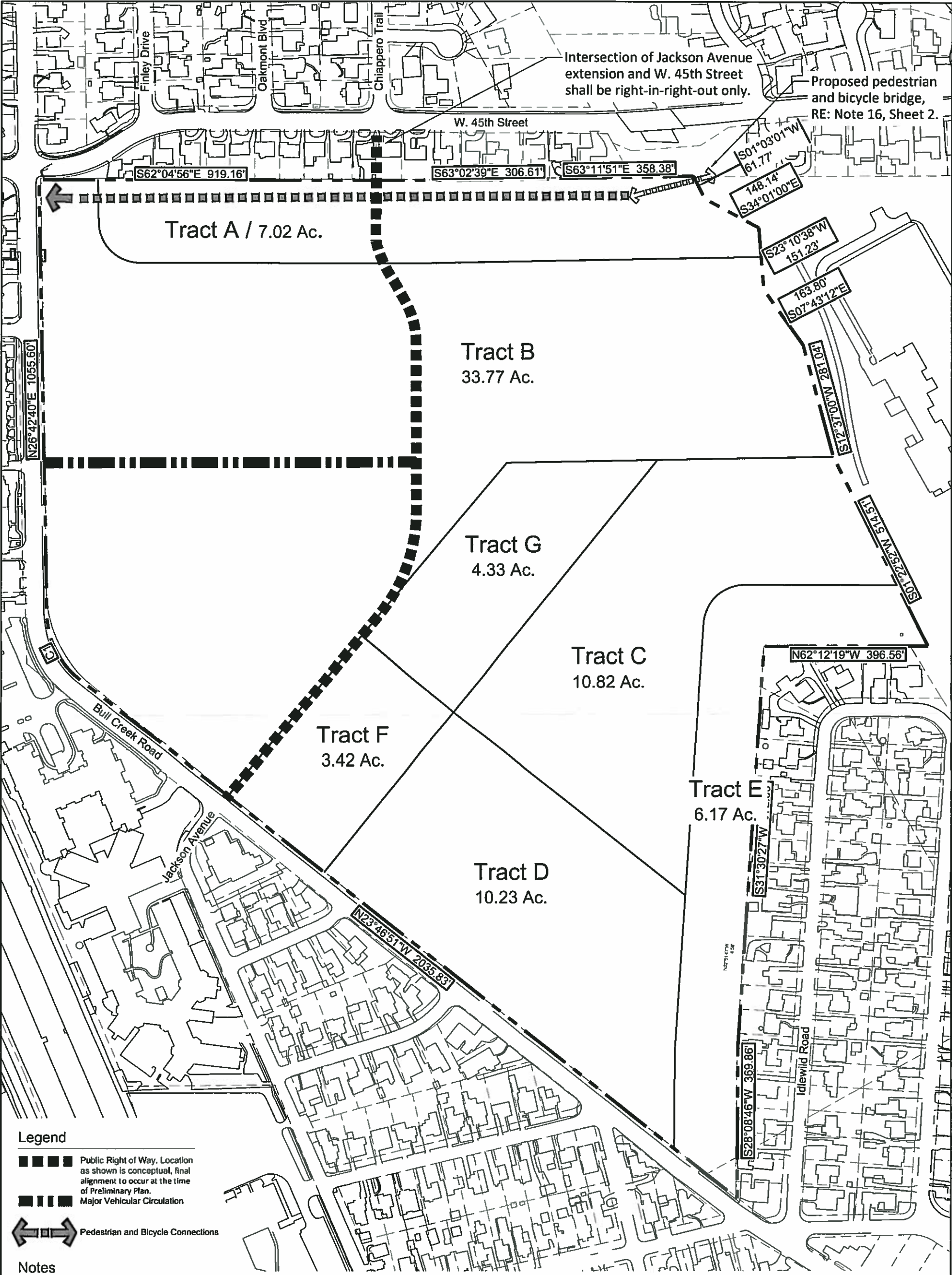
Minimum Parkland and Open Space Compliance Table				
Park Space Provided	Approx. Size (Acres)	Min. Parkland	Equivalent Parkland Acres	Open Space Acres
Signature Park in 25 yr Floodplain (Publicly Dedicated)	3.20	0%	0.00	3.2
Signature Park in 100 yr Floodplain (Publicly Dedicated)	0.235	50%	0.1175	0.235
CEF in Signature Park (Publicly Dedicated)	0.23	0%	0.00	0.23
CEF Buffer in Signature Park (Publicly Dedicated)	0.71	0%	0.00	0.71
Critical Water Quality Zone	0.24	0%	0.00	0.24
Wet Pond Permanent Pool in Signature Park (Publicly Dedicated)	1.00	50%	0.50	1.00
Remainder of Signature Park (Publicly Dedicated)	10.64	100%	10.64	10.64
North Greenbelt (Publicly Dedicated)	0.87	100%	0.87	0.87
Pocket Park (Publicly Dedicated)	1.25	100%	1.25	1.25
Central Greenbelt (Private/Public Easement)	1.00	50%	0.50	1.00
Plaza	0.50	50%	0.25	0.00
TOTALS	19.88		14.13	19.38

Notes: The Signature Park will be a minimum of 16.25 acres in size (including 5.75 acres of floodplain, CEF, etc). Total credited parkland for the project must be at least equal to the total shown on this table. 14.13 credited acres satisfies parkland dedication for 1,361 market rate units and 150 congregate care units with kitchens. Any additional dwelling units that are built on the site shall be subject to parkland dedication requirements at the time of site plan.

- Notes:**
- Plaza: Only areas of the plaza that are publicly accessible and designed for active recreation and community gathering may be credited as parkland. Appropriate parkland uses for the plaza include interactive water features, children's play features, performance areas, game areas, and areas designed for free and casual congregation. If final plaza design does not meet these standards, an additional 0.25 acres of parkland shall be provided elsewhere on site.
  - All park space shall be improved and maintained by the Applicant, as described in the Master Parkland Agreement.
  - Park, trail, and pedestrian and bicycle access locations depicted in this exhibit are approximate and intended to demonstrate compliance with Tier 1 and Tier 2 requirements. Exact locations and boundaries will be determined at Site Plan.
  - Trails shown in the Signature Park and North Greenbelt on this Exhibit shall be constructed to the standards of the Urban Trails Master Plan prior to dedicating the Park to the City.
  - The Wet Pond will be designed as an amenity. Recreational uses shall be adjacent to and/or interact with the pond and users shall be able to approach the pond in multiple locations.
  - Public parking shall be provided to serve the signature park. This may be on-street parking, garage parking, surface lots, or a combination thereof.
  - Subject to approval by the City, a trail connection shall be provided from the Shoal Creek Trail to Jefferson Street on the City owned land at this location.
  - The Signature Park shall have a minimum of 705' of total street frontage. This may be a combination of frontage on Jackson Avenue and internal roadways.
  - The Pocket Park shall be designed to have an open character from the street frontage and should avoid landscape or other obstructions that block the public views into the park where it abuts the street.
  - Residential development that fronts onto public park space should comply with the Parks and Open Spaces Section of the PUD Design Guidelines (Section 4.4.3).
  - \$750 per residential unit shall be provided for parkland improvements, per the parameters outlined in the PUD Parkland Improvement and Maintenance Agreement (See Attachment #N).

The Grove at Shoal Creek Planned Unit Development  
Parks Plan Exhibit  
October 24, 2016









# The Grove at Shoal Creek

Austin, Texas



## Summary of Changes to LUP and Design Guidelines

The Grove at Shoal Creek  
October 24, 2016

The following document describes changes made to The Grove at Shoal Creek zoning application since the last Formal Submittal on March 28, 2016. The source or reason for the change is provided in parenthesis after each item. Some changes are simply minor corrections and clarifications and are marked as such. Changes to the Design Guidelines listed here have been outlined or underlined in red throughout that document.

### **Tier Compliance Summary**

1. Updated open space references to indicate 19.38 instead of 18.12 acres. (*Condition of PARD Superiority*)
2. Modified language regarding trees to change "poorer quality" to "fair to poor condition" for better consistency with code language. (*Heritage Tree Foundation Request*)
3. Updated Tier 2 Item G to increase the requirement to a minimum of 8 car share spaces. (*ZAP Recommendation*)
4. References to "shared access improvements" (points B.3(v) and G(v)) have been removed from the Tier 1 compliance table. (*Clarification*)

### **Code Modifications**

1. Modified code modification of 25-8-641 to specifically list the tree numbers that may be removed and to exempt the trees to be saved from the administrative variance for reasonable use process. (*Heritage Tree Foundation Request*)

### **Land Use Plan**

#### Sheet 1

1. The proposed Jackson Avenue alignment has been graphically updated to reflect the most likely alignment. (*Clarification*)
2. The wording of note 6 on Sheet 1 has been updated to clarify that the Green Water Quality controls distributed on-site must provide initial treatment but each feature need not be sized to treat its entire drainage area (additional treatment would be provided later in sequence). (*Clarification*)
3. Note 7 was added on Sheet 1 to require that on-site drainage systems be designed to the 100-year storm. (*Commitment at Environmental Commission*)

#### Sheet 2

4. The Open Space uses table has been updated to clarify that these uses are permitted in all tracts and that Community Recreation and Parks and Recreation Services are permitted uses under Open Space. (*PARD Request*)
5. Single-family detached uses were removed from Tracts F and G. (*ZAP Recommendation*)
6. Group Residential has been added as a permitted use in Tracts B, F, and G. (*ZAP Recommendation*)
7. Live-Work Units have been added as permitted uses in Tracts B, F and G. (*Clarification*)

8. A note has been added to the Permitted Use Tables to restrict single-family detached residential uses in Tract B to the area within 150' of Tract A. *(ZAP Recommendation)*
9. Note 2 on Sheet 2 has been updated to clarify that residential units are capped at 1335 (not including affordable housing), that Congregate Care beds are capped at 300, and to define affordable housing. *(Staff Recommendation)*
10. Note 4 on Sheet 2 was updated to reduce the maximum office square footage to 210,000 SF. *(Staff Recommendation)*
11. Note 5 on Sheet 2 was updated to reduce the maximum retail square footage to 150,000 SF. *(Staff Recommendation)*
12. Note 16a on Sheet 2 was updated to clarify that the fiscal fees for the bridge may only be used by the City on bicycle and pedestrian improvements located east of the property in the event that the bridge cannot be constructed. *(ZAP Recommendation)*
13. Note 17b on Sheet 2 was updated to increase the required number of car-share parking spaces to 8. *(ZAP Recommendation)*
14. Note 18 was added to Sheet 2, which caps overall development on the site at 2.65 million square feet *(ZAP Recommendation)* and also includes the other staff conditions to their recommendation for PUD approval. *(Staff Recommendation)*
15. Note 6 was added to the Site Development Regulations table to require a 25' minimum setback from Bull Creek Road on Tract D. *(ZAP Recommendation)*
16. The Summary of Development Entitlements Table was added to Sheet 2 to provide a better reference point for the various entitlement caps agreed to as part of the PUD application. *(Clarification)*

#### **Parks Plan Exhibit**

1. A proposed Jackson Avenue alignment has been added graphically to the exhibit. *(Clarification)*
2. The signature park has been extended up to the proposed public right-of-way along Jackson Avenue in Tract A and the northern park of Tract B. *(Condition of PARD Superiority)*
3. The bike and pedestrian trails shown through the Signature Park have been updated to better reflect the anticipated alignment designed to minimize impacts to the CRZ's of the heritage oaks. *(Clarification)*
4. The open space provided had been increased by 1.26 acres (from 18.12 to 19.38 acres) and now exceeds the requirement by 77%. *(Condition of PARD Superiority)*
5. Total park space acreage has increased by 1.25 acres (from 18.63 to 19.88). *(Condition of PARD Superiority)*
6. Credited parkland acres has increased by 1.25 acres (from 12.88 to 14.13). *(Condition of PARD Superiority)*
7. Flex Park Space acreage has been removed from the Park Space Provided table. *(Condition of PARD Superiority)*
8. The minimum Signature Park acreage has increased by 3.25 acres (from 13.00 to 16.25). *(Condition of PARD Superiority)*
9. A note has been added to the Park Space Provided table regarding superiority and congregate care units. *(Condition of PARD Superiority)*
10. The note regarding Flex Park Space has been removed and any references to Flex Park Space have been removed from the other notes. *(Condition of PARD Superiority)*
11. Note 7 regarding the trail connection to Jefferson has been added. *(Condition of PARD Superiority)*



12. Note 8 has been added to state that the Signature Park will have a minimum of 705' of street frontage. *(Condition of PARD Superiority)*
13. Note 9 regarding parameters for the Pocket Park has been added. *(Condition of PARD Superiority)*
14. Note 10 regarding residential development along public parks has been added. *(Condition of PARD Superiority)*
15. Note 11 regarding the parkland improvement fees has been added. *(Condition of PARD Superiority)*

#### **Framework Plan**

1. The proposed Jackson Avenue alignment has been graphically updated to reflect the most likely alignment of that road. *(Clarification)*

#### **Tree Disposition Plan**

1. Updated Tree Disposition Plan to include several trees omitted from original submittal. Calculations were updated, showing an increase in percentage of protected tree inches saved to 77%. *(Clarification)*
2. Expanded note 4 to clarify the requirements for Tree Care Plans. *(Heritage Tree Foundation Request)*
3. Expanded note 5 to further restrict activities within the  $\frac{3}{4}$  CRZ of Signature Grove Trees. *(Heritage Tree Foundation Request)*
4. Tree 3082 has been removed from the Tree Disposition Plan and Table because it was an 18" tree and does not meet the definition of a Protected or Heritage Tree. *(Clarification)*

#### **Design Guidelines**

1. The Development District Map (Figure 2.3 on page 7) was updated to reflect the new Jackson Avenue alignment. *(Clarification)*
2. Section 2.4.3 has been updated to reflect the correct park spaces and to allow "Park buildings and park structures" as permitted uses within the parks and open space. *(Clarification)*
3. The PUD Land Use Plan (Figures 2.5 and 2.5.1 on pages 9 and 10) has been updated with the new sheets. *(Clarification)*
4. The Master Framework Plan (Figure 3.3 on page 13) has been updated to reflect the new Jackson Avenue alignment. *(Clarification)*
5. The Bull Creek Road section (Figure 3.4.1 on page 14) has been updated to include a northbound bike lane. *(ZAP Recommendation)*
6. The Retail Main Street section (Figure 3.4.2a on page 15) has been updated to allow for alternative parking configurations. *(Per meeting with City Staff on 8/9/16)*
7. An alternative Retail Main Street section (Figure 3.4.2b on page 16) has been added to allow for a potential parkway configuration. *(Per meeting with City Staff on 8/9/16)*
8. An additional street section (Figure 3.5.8 on page 25) has been added to allow for a slip road. *(Per meeting with City Staff on 8/9/16)*
9. Section 3.6.2 regarding Typical Traffic Circles has been updated to clarify language and note that this is an optional facility. *(Clarification)*

10. Sections 4.3.1 (g), (h), and (i) have been updated to allow the slip road. *(Per meeting with City Staff on 8/9/16)*
11. Section 4.3.2(b)(4) has been added to allow for tandem parking. *(clarification)*
12. Section 4.3.2(c)(5) has been clarified that the front setback for front-facing garages is 5'. *(Clarification)*
13. Section 4.4.1(a) has been clarified regarding the requirement for pedestrian building entries. *(Clarification)*
14. Section 4.4.2(e)(5) has been added to clarify that glazing requirements do not apply to parking structures. *(Clarification)*
15. Section 4.4.3(c) and Figure 4.4.3 have been added to govern residential development adjacent to parks. *(Condition of PARD Superiority)*
16. Section 5.2.1 has been updated to reflect the correct park spaces. *(Condition of PARD Superiority)*
17. Section 5.2.4 has been revised to refer to the 1.25 acre park on Bull Creek Road as the "Pocket Park" rather than the "Neighborhood Park". *(PARD Request)*
18. The Framework Plan on page 36 of the March 2016 document has been removed because it was redundant. *(Clarification)*
19. The PUD Parks Plan (Figure 5.1 on page 39) has been added to the document. *(Clarification)*
20. Section 5.5.1 regarding Community Identity Signs has been updated to clarify intent. *(Clarification)*
21. Typos have been corrected throughout the document that do not change the language or intent of the text. *(Clarification)*

#### **Master Plan**

1. For reference, we are including a more current iteration of the Conceptual Master Plan.