

Land Plan Study

**Bull Creek Rd and 45th St
Austin, TX**

October 6, 2014

Prepared for
City of Austin ORES

Prepared By

alterra design group

land planners + consultants

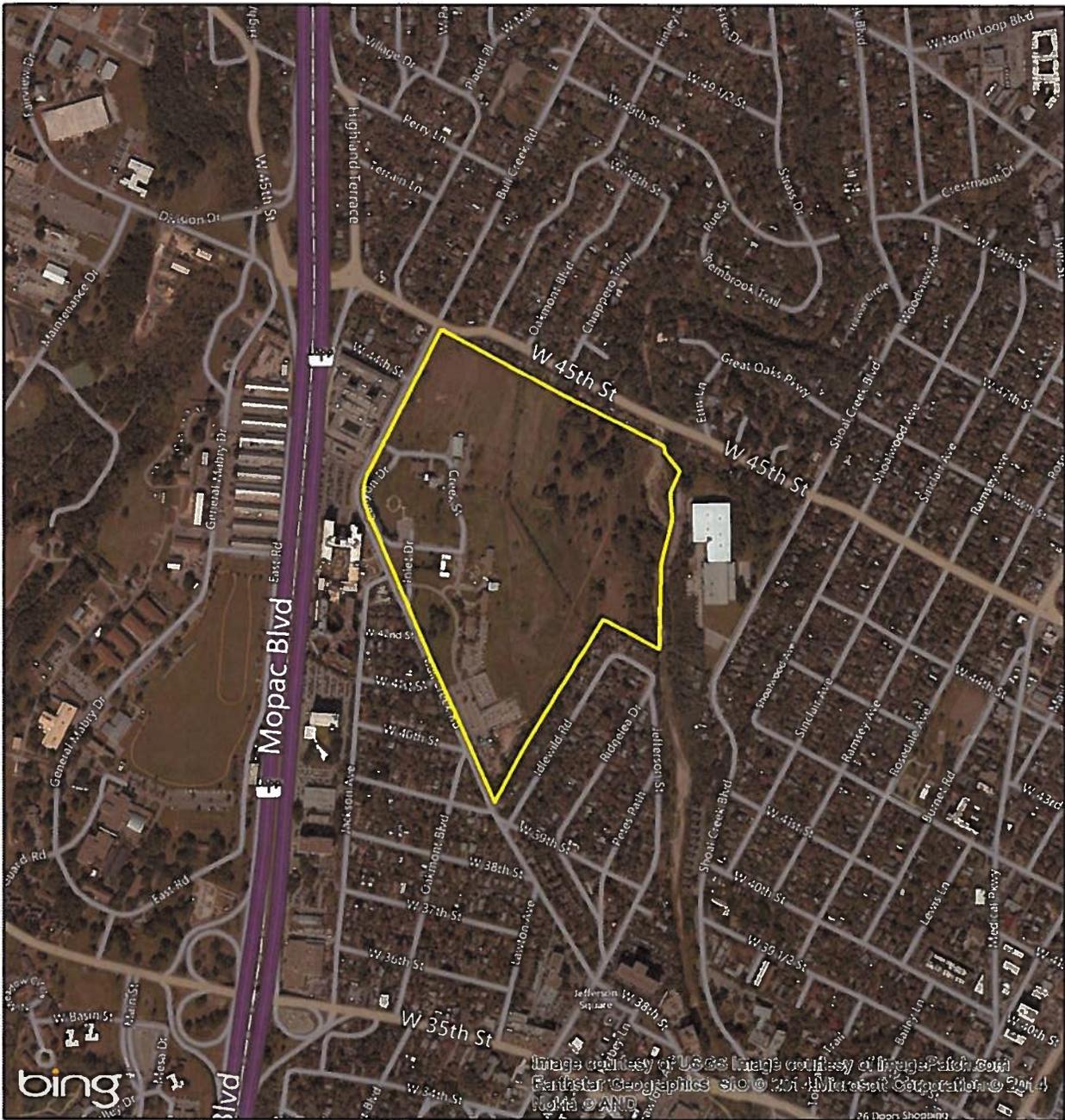
2100 Kramer Lane #550 Austin, TX

512. 225. 9227



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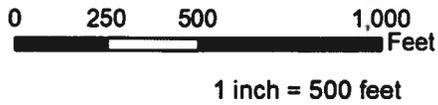
Location



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Aerial
(Google 10/31/2013)



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Purpose

The purpose of this study is to examine the development potential of the subject property. This report will detail the results of our investigation into all the factors affecting the development of the subject. The study was undertaken to assist the appraisers in their opinion of highest and best use and value.

Location

The subject property is located in central Austin within the Rosedale neighborhood. It is just east of Loop 1 (Mopac Expressway) at the SEC of Bull Creek Rd and 45th St. The street address of the subject is 4305 Bull Creek Rd and the site has approx. 3,260' of frontage on Bull Creek Rd.

Whole Property

According to the Travis Central Appraisal District (TCAD), the subject contains 75.79 Ac. The property currently houses Texas Department of Motor Vehicles (TxDMV) offices. The offices, collectively known as the Bull Creek Campus, total approximately 20,000 SF according to the TxDMV 2015-2019 Strategic Plan. A site inspection was performed on September 23, 2014.

Easements

The subject does not contain any apparent easements that would impact development.

Floodplain

According to FEMA flood map numbers 48453C0455H, 48453C0435H and 48453C0445H effective on Sept 26, 2008, the subject property contains floodplain along the eastern edge of the site. GIS measurement showed that the 100-year floodplain area is approx. 4.071 Ac.

Topography

The subject property contains moderate topographic change across the site. The highest point is located near the west property boundary at approx. 670' AMSL. The property slopes down to Shoal Creek on the east property boundary where the lowest point is approximately 565' AMSL.



Topography
(2' Contours)



1 inch = 500 feet



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Zoning

The subject property is in the full-purpose zoning district of the City of Austin and is currently unzoned as the property is owned by the State of Texas. Adjacent zoning includes SF-2 to the north, SF-3 to the east, south and southwest, and a mix of LO, GO-MU and MF districts across Bull Creek Rd to the west.



Zoning



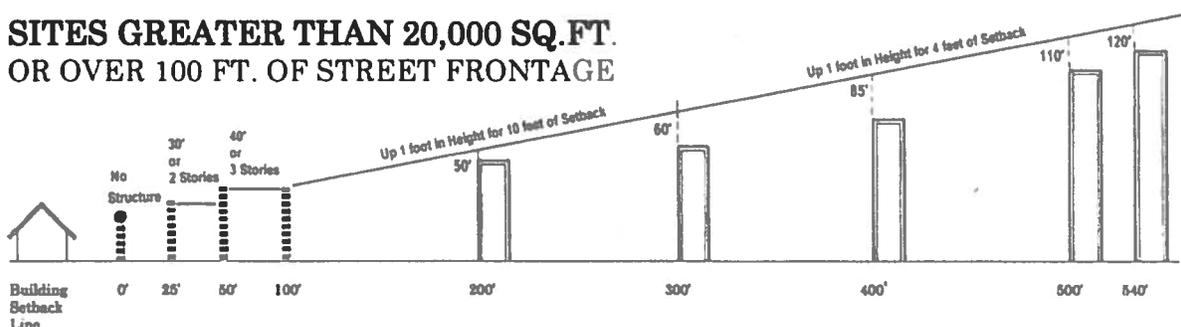
1 inch = 500 feet



Compatibility Standards

The subject property is adjacent to single family residential development and is subject to the City of Austin's Compatibility Standards. These standards limit the height of structures within certain setback distances of SF-5 and more restrictive residential districts. Height restrictions that apply to the subject property can be seen on the following graphic from the City of Austin Land Development Code (LDC).

SITES GREATER THAN 20,000 SQ.FT. OR OVER 100 FT. OF STREET FRONTAGE



This section of the City's LDC also specifies that buildings must provide a 25' front yard setback from the ROW if the tract adjoins property in an SF-5 or more restrictive zoning district. This means that unless the property is subdivided, all buildings on the subject must be at least 25' from the Bull Creek Rd ROW. Likewise, all buildings must be set back 25' from all property boundaries adjacent to residential districts.

Watershed Protection Ordinance

The property is subject to the development regulations of the City of Austin Watershed Protection Ordinance (WPO). The property is located within the Urban Desired Development Zone (DDZ). This portion of the DDZ carries no additional impervious cover (IC) restrictions beyond those of the base zoning for upland development. The Urban DDZ designation does provide specific setback distances from areas defined by the City as Critical Water Quality Zones (CWQZ). These setbacks require development to be set back 50-400' from the CWQZ's. The exact setback distance coincides with the edge of the 100-year fully-developed floodplain. The WPO also restricts how water is treated on-site for the different zones. Within the Urban DDZ, all new or redeveloped sites with an IC over 8,000 SF must provide Sedimentation/Filtration

basins to treat stormwater before release to the watershed. In the Urban DDZ, these basins are permitted within the CWQZ but not within the 100-year floodplain. Based on conversations with the City, the current water quality and detention basin requirement for development is to match flows; whereby the post development flows from a site are equal to or less than the pre development flows. As a rule of thumb, a pond covering the equivalent of approx. 10-15% of the developed area would be sufficient to provide pre-post-development peak flow matching.

The City's Watershed Protection Department is developing a new program that may soon replace the current peak flow matching (PFM) system for determining the volume of WQ and detention basins. The new system, called the volumetric detention procedure (VDP), is designed to control the total volume of discharge downstream to the watershed outlet rather than just the flow from the individual site. This watershed-wide consideration is favorable as it would better mitigate impacts at downstream locations. Once the VDP program is developed, the City would look to implement its detention standards at large or complex new developments such as PUDs, MUDs or other projects located within sensitive flooding areas. Considering the large number of residential properties directly downstream from the subject, it is likely that the development of the subject would be considered to be within a sensitive flooding area. While exact models for the VDP and PFM systems have not been run on the site, it is estimated that the WQ and detention basin area required under the VDP would be approximately twice that of the PFM. This means that under the VDP system, we could assume a required WQ and detention basin area equivalent to approx. 20-30% of the developed area.

Parkland Dedication Ordinance

The City of Austin requires a parkland dedication for all new residential subdivisions and site plans with three or more dwelling units. The amount of parkland dedicated corresponds directly to the number of residents. The ratio that the City uses is five acres of parkland dedicated per 1,000 residents. 50% of the dedicated parkland within the 100-year floodplain may be credited toward fulfilling this requirement, so long as any adjacent 25-year floodplain is also dedicated as parkland. The land within the 25-year floodplain cannot be credited toward fulfilling this requirement. According to the City of Austin's FloodPro web map, the site

contains approx. 3.357 Ac of within the 25-year floodplain. If the 100 and 25-year floodplains were completely dedicated as part of this ordinance, up to 50% of the area within the 100-year floodplain and outside the 25-year floodplain could be credited toward fulfillment of the ordinance. With a total 100-year floodplain of approx. 4.071 Ac and a 25-year floodplain of approx. 3.357 Ac, the most land that can be credited as part of this ordinance is 0.357 Ac.

$$\frac{5 \times (\text{Number Of Units}) \times (\text{Residents Per Unit})}{1000}$$

= Acres of parkland

Dwelling Units Per Acre	Residents In Each Dwelling Unit
Not more than 6	2.8
More than 6 and not more than 12	2.2
More than 12	1.7

Tree and Natural Area Protection

The City of Austin LDC restricts the removal of certain species of trees over specific size thresholds within the City’s jurisdiction. This section of the LDC defines “Protected” trees as those with a diameter of 19” or more and “Heritage” trees as those of certain species with a diameter of 24” or more. While both are guarded under this ordinance, “Protected” trees may be removed with a permit, but “Heritage” trees are far more difficult to legally remove and should be planned around rather than over. A cursory tree survey was performed as part of the site visit on September 23, 2014. We have located trees that would likely be protected under this ordinance and have taken these into consideration when preparing the street layouts for our various development scenarios. An official survey should be performed prior to development.

Utilities

Water and wastewater are currently available to the subject property from the City of Austin. According to Phillip Jaeger of the Austin Water Utility, development of the subject could connect to the 42” wastewater main that exists in Shoal Creek along the eastern boundary of the property. According to Mr. Jaeger, the property has access to a 12” water main on Bull Creek Rd that would be able to support a low density single-family subdivision with the

replacement of an existing connecting 6" line with a new 12" line to compensate for increased flow demand. The cost of this water main replacement was estimated by Mr. Jaeger to be between \$100,000 and \$150,000. If the site were to be developed at a density greater than single family residential, the existing 12" line would no longer be sufficient. To meet the water demands of a more intensive development, Mr. Jaeger explained that an extension from a larger main closer to the pumping station would need to be done. The extension proposed by Mr. Jaeger would tie into an existing 36" water main located at the NWC of Perry Lane and Valley Oak Drive on the west side of Mopac. A quote was provided by the City showing the cost of extending a 36" water main over 4,100' to be in the range of \$2.75 million and \$3.5 million. The City would participate in some cost reimbursement for the cost of the utility extension; exactly how much depends on the water demand tied directly to the development, though a range of 33% to 56% cost reimbursement would be expected.

Transportation and Connectivity

The subject is served by Capital Metro route #19. The route runs between Northcross Mall and Downtown Austin with stops west of Mopac on Mesa Dr, Wood Hollow Dr and Balcones Dr before crossing east along 38th St to Guadalupe and south to the State Capital and Downtown area.

Bull Creek Rd is identified on the City of Austin Bike Map as a medium comfort bike trail and provides bike lanes on either side of the road. Cyclists use Bull Creek Rd as a north-south connector running from Hancock to 35th St.

The subject is located along Shoal Creek just north of the current northern trail head for the Shoal Creek Trail. The Austin Urban Trails Program proposes an extension to the Shoal Creek Trail in the recent council-approved Urban Trails Master Plan. The proposed extension would lead north from Shoal Creek and 38th St along the creek bed crossing the subject and extending farther north.

Community Involvement

The Bull Creek Road Coalition (BCRC) was formed in 2012 when it became clear that the State intended to sell the 75 Ac. subject property. The BCRC was formed by representatives of the adjacent neighborhoods to work with the state, the city and any prospective developers of the subject to ensure that development was compatible with and enhanced the existing neighborhoods. The BCRC performed surveys of over 700 residents to determine priorities for the community and used the information to draft a series of recommendations. These recommendations include preferred types of development, open space preservation, flood hazard mitigation and connectivity to the surrounding neighborhoods. The BCRC supports some form of mixed-use development, so long as it is executed in a manner that complements the surrounding neighborhood development.

Development Scenarios

Through our investigation of the site and factors affecting its development, we determined that traffic along Bull Creek Rd represented a primary concern and that development intensity would be guided by the ability of Bull Creek Rd to handle additional traffic. Conversations with the Austin Transportation Department (ATD) have led to the conclusion that the intersection of 45th and Bull Creek is already overloaded and barring major modification to the intersection, any additional development directly increasing vehicle traffic on Bull Creek Rd would be discouraged. That being said, the city appears willing to investigate the possibility of modifying the intersection in such a way as to permit additional vehicular traffic caused by new development on the subject. The City provided traffic modeling information showing how the current configuration of the intersection of 45th and Bull Creek has received failing grades for long wait times. These models also provided information on the potential impact of adding new eastbound and westbound left-turn lanes on 45th St. The purpose of these models is to be able to determine how much additional traffic the intersection of 45th and Bull Creek can handle after improvements are made to the intersection. Based on the model, indications are that once turn lanes are added, the intersection could handle approx. 10,000 additional daily trips while meeting current wait times. The trip-generation estimates that are provided in the

following development scenarios were calculated using data from the Trip Generation manual of the Institute of Transportation Engineers (ITE).

TxDOT Proposal

This scenario, originally proposed in a TxDOT appraisal report, shows the property as a residential subdivision. The appraisal contains information and opinions provided by land planner BJ Cornelius of Site Specifics. At the time of the appraisal Ms. Cornelius believed that the most likely development scenario for the site was a combination of single and multi-family residential districts. She provided a breakdown of the districts by acreage, with MF-2 on 12 Ac, SF-6 on 24 Ac and SF-3 on 35.58 Ac. Likewise, Ms. Cornelius provided information on the density of each district. The least dense SF-3 districts would provide 6-9 units per Ac, the SF-6 districts would provide up to 12 units per Ac and the MF-2 would provide 18-20 units per Ac. Using these numbers, Ms. Cornelius' plan would provide approx. 783 units.

Ms. Cornelius fails to recognize several items in her land plan study. The first is that it is unclear how much land is provided for roadway infrastructure in the proposed residential development. By our measure, a residential neighborhood with a grid organization and similar block length to those adjacent neighborhoods would require approx. 0.29 Ac of roadway for every 1 Ac of residential area.

The second issue not addressed in Cornelius' plan is that the City of Austin Land Development Code (LDC) requires a certain amount of parkland to be dedicated for all residential subdivisions. The City Code states that 5 Ac must be dedicated to the City for every 1,000 residents. Using the information from Ms. Cornelius' report and the parkland dedication information from the LDC, we are able to determine that the 783 proposed units would house approx. 1,768 residents and require a parkland dedication of approx. 8.84 Ac. With all but 4.21 Ac out of the total 75.79 Ac being accounted for with residential lots, Ms. Cornelius did not leave enough open space for the parkland dedication.

The third item the Cornelius' plan fails to recognize is that the City requires stormwater treatment basins as part of the WPO. The exact size of these basins is determined by an

engineering study, but generally speaking, under current regulations, a new development will require between 10-15% of the developed land area for water quality and detention basins. For a residential plan such as Cornelius', we can use the lower 10% rate as there is a lower percentage of IC permitted by zoning than you would see with a mixed-use or commercial development where the 15% rate would be more accurate. Using the base numbers provided in Cornelius' plan, the total development area with roadways is 62.55 Ac and the amount of land that would need to be devoted to WQ and detention basins would total approx. 6.26 Ac. This treatment area must be located completely outside the 100-year floodplain.

TxDOT Residential (6,800 VDT Added)			
Residential Land Use	MF-2	SF-6	SF-3
Area (Ac)	8.02	16.00	23.73
Percent	16.8%	33.5%	49.7%
Net Density (DU/Developed Ac)	30	19	11.85
Gross Density (DU/Ac)	19	12	7.5
Total DU	240.7	303.9	281.2
Residents per DU	1.7	2.2	2.8
Residents	409	669	787
Parkland Dedication (Ac)	2.0	3.3	3.9
Total Parkland Dedication (Ac)	9.33		
Parkland within FP (Ac)	0.36		
Floodplain Not Parkland (Ac)	3.71		
WQ and Detention Area (Ac)	6.26		
WQ and Det. Area Outside Parkland/FP (Ac)	0		
Roadway Allocation (Ac)	14.8		
Total Open Space (Ac)	13.24		

Ms. Cornelius' housing ratios are reasonable and we feel that the zoning districts chosen are sensible; however, her plan does not address the area of the subject required by the LDC for parkland dedication. A reasonable response to this omission would be to scale back the total number of units per district proportionally until ample open space is available for parkland dedication. Utilizing Ms. Cornelius' residential land allocation

ratios, we reduced the land area per zoning district to allow for the required amount of WQ and detention basin area and parkland dedication. This reduction resulted in a development of approx. 826 units housing 1,865 residents and providing a 9.33 Ac parkland dedication.

Using the ITE standards for trip-generation estimation, we determined that Ms. Cornelius' mixed-density residential development scenario would generate approximately 6,800 daily trips on Bull Creek Rd. Based on the information in her report, we have produced the following layout showing the spatial distribution of the different housing types discussed by Cornelius:



- SF-3 (281 Units)
- SF-6 (304 Units)
- MF-2 (241 Units)
- Open Space
- 100-Year Floodplain

TxDOT Scenario
(Interpretation)



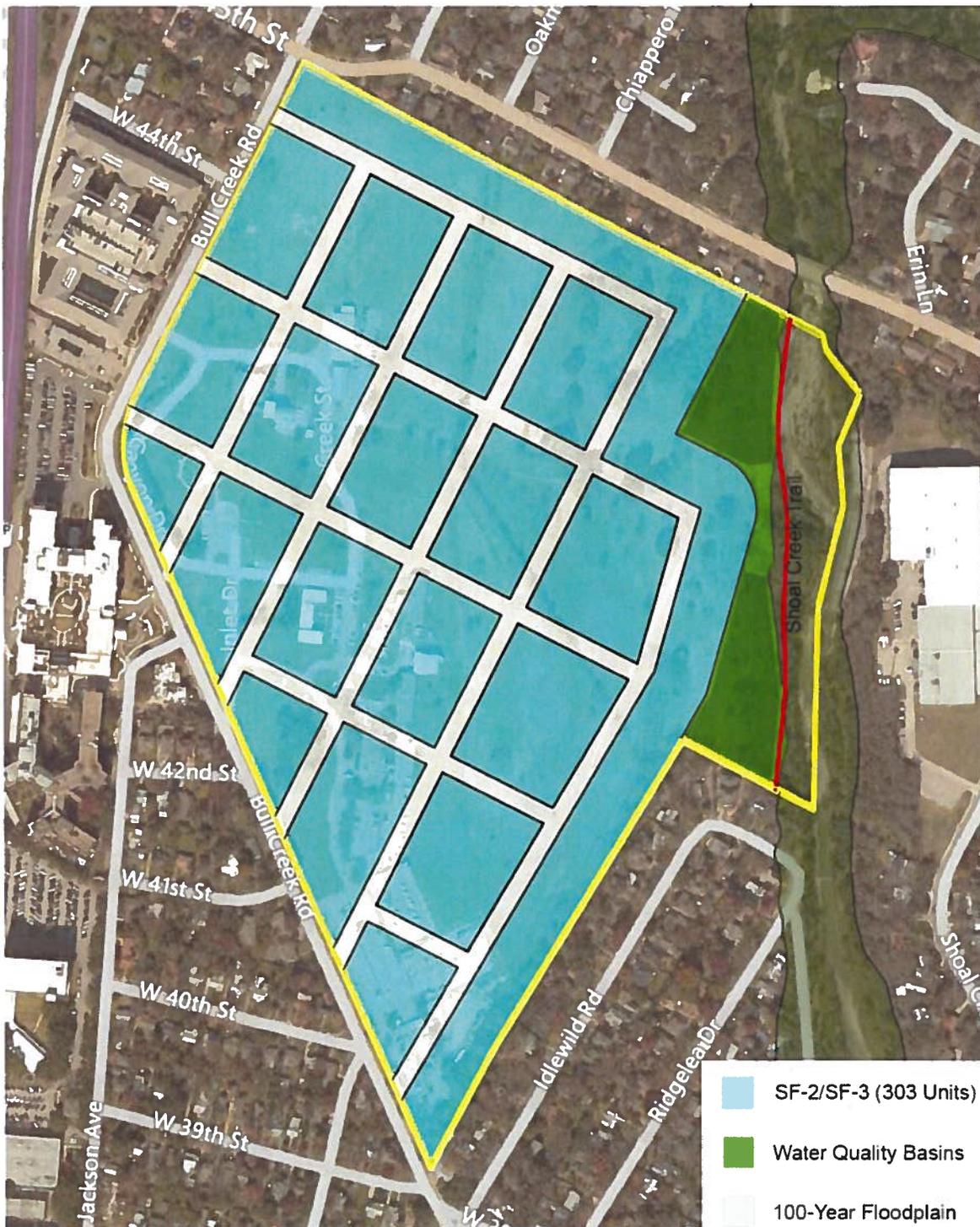
Low-Density Residential Development

In this scenario we consider the development of the subject as a single-family neighborhood with a combination of SF-2 and SF-3 zoning districts. This scenario is similar to the previously-discussed Cornelius plan; it covers nearly the same amount of space, is a purely residential development, and in our

Low-Density Residential (2,900 VDT Added)	
Residential Land Use	SF-2/SF-3
Area (Ac)	49.7
Net Density (DU/Developed Ac)	6.1
Gross Density (DU/Ac)	4.0
Total DU	303.17
Residents per DU	2.8
Residents	849
Parkland Dedication Required (Ac)	4.24
Parkland within FP (Ac)	0.36
Floodplain Not Parkland (Ac)	3.71
WQ and Detention Area (Ac)	6.45
WQ and Det. Area Outside Parkland/FP (Ac)	2.56
Roadway Allocation (Ac)	14.8
Total Open Space (Ac)	11.29

interpretation of the Cornelius plan even shares the same street grid. This scenario however does not include a multi-family (MF) component. The reason for this is tied to the utility infrastructure in place vs what would be required with development densities higher than SF-3. The site is currently served by a 12" main that would be able to support SF-2/SF-3 development with the replacement of a section of 6" main with a 12" main at a cost of \$100K to \$150K. With a development density beyond single-family, a developer would have to work with the city on an estimated \$2.75 million to \$3.50 million water main extension.

This development scenario utilizes a grid organization with similar block dimensions to the adjacent SF-2 and SF-3 neighborhoods. Utilizing City of Austin standards and average lot size data from the surrounding neighborhoods, we determined that a net density of 6.1 dwelling units per acre in this SF-2 and SF-3 scenario was ideal. This density provides approx. 303 homes on 49.7 Ac of the subject. Using ITE standards, this plan will generate approx. 2,900 daily trips. As a baseline, we estimate that the current traffic attributed to the TxDMV offices is around 600 daily trips. After discounting those current 600 daily trips from our estimated 2,900 trips, we can assume that while traffic will increase, it will not reach a point where the city would require the installation of left turn lanes on 45th as they have proposed in cases of higher development density. This scenario provides enough open space to meet WQ and detention basin requirements under the PFM model but would need to be scaled back to meet the more demanding standards of a VDP model.



Low-Density Scenario



1 inch = 400 feet



- SF-2/SF-3 (303 Units)
- Water Quality Basins
- 100-Year Floodplain



Mid-Density Mixed-Use

This scenario was developed in response to the findings of the ATD that with improvement to the intersection of 45th and Bull Creek, up to 10,000 daily trips could be added and still meet current traffic levels. In this scenario we considered the maximum development potential of the site to be a mix of commercial and residential development.

Medium-Density Mixed-Use Development (10000 VDT Added)			
Land Use	MF-3	SF-6	Retail
Area (Ac)	16.67	13.33	4.72
Net Density (DU/Developed Ac)	36	12	
Gross Density (DU/Ac)	18	6	
Total DU	600	160	
Residents per DU	1.7	2.2	
Residents	1020	352	
Parkland Dedication (Ac)	5.100	1.760	
Total Parkland Dedication:			6.860
Parkland within FP (Ac)			0.36
Floodplain Not Parkland (Ac)			3.71
WQ and Detention Area (Ac)			6.74
WQ and Det. Area Outside Parkland/FP (Ac)			0.24
Roadway Allocation			10.2
Total Open Space (Ac)			30.87

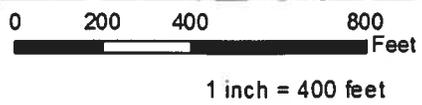
The residential development would typically include a mix of densities, utilizing SF and MF districts. Spatially the commercial space would be located close to Bull Creek Rd to maximize visibility and minimize on-site traffic. Denser MF-3 residential districts are located close to Bull Creek Rd and the less dense SF-6 townhomes and condominiums are located to the east farther from Bull Creek Rd. This scenario would provide housing for approx. 1,372 residents in 760 total dwelling units. This plan provides 160 dwelling units in SF-6 zoned townhouses and 600 units in medium density multi-family (MF-3) residences. Additionally, it provides 45,000 SF of Retail on 4.72 Ac. Based on City of Austin standards and the 1,372 potential residents in this scenario, 6.86 Ac of parkland would be dedicated.

The density created by replacing the SF-2 and SF-3 zoning seen in previous scenarios with SF-6 and MF-3, coupled with the desire to meet the ATD's additional daily trips cap, has created a development scenario with over 30 Ac of open space available. Parkland to be dedicated is primarily on the eastern portion of the site to take advantage of the natural amenities present in the large Heritage Trees and probable connection to the Shoal Creek Trail. This scenario is capable of meeting the open space, flood hazard mitigation, connectivity and tree preservation desires of the BCRC and provides enough open space to meet WQ and detention basin requirements under both the PFM and VDP models.



- Retail (45,000 SF)
- SF-6 (160 Units)
- MF-2 (600 Units)
- Open Space
- 100-Year Floodplain

Medium-Density Scenario



High-Density Mixed-Use

The scenario is represented by the plan produced by Stratus Properties, a commercial and residential developer located in Austin. This plan was submitted to the BCRC without solicitation in August 2012. This scenario shows the highest development density of those presented in this report and in our view represents the very upper limits of density that can be built on the subject.

Stratus (27,700 VDT added)			
Residential Land Use	MF-6	Office	Retail
Area (Ac)	12	5.5	21
Density (DU/Ac)	62.5		
Total DU	750		
Residents per DU	1.7		
Residents	1275		
Parkland Dedication (Ac)	6.375		
Total Parkland Dedication:			6.375
Parkland within FP (Ac)			0.36
Floodplain Not Parkland (Ac)			3.71
WQ and Detention Area (Ac)			5.775
WQ and Det. Area Outside Parkland/FP (Ac)			0
Roadway Allocation (Ac)			11.2
Total Open Space (Ac)			26.125
Excess Open Space (Ac)			16.28

Before discussing the specifics of the Stratus scenario, it is important to note that the amount of land included in Stratus’ proposal is larger than our 75.79 Ac subject as it includes an additional section of State property connecting the subject to Shoal Creek Blvd. Likewise, because of the inclusion of this section of property in their proposal, they were able to connect the property to Shoal Creek Blvd via a bridge over Shoal Creek. The section of land illustrated in Stratus’ proposal is not being offered by TxDOT in the sale of land tied to the subject; therefore, a connection to Shoal Creek Blvd is not assumed possible in this report.

The Stratus proposal provides high-density multi-family (MF-6) with a mix of office and retail uses. Specifically, the Stratus plan highlights the inclusion of an HEB shopping center as the retail anchor for an estimated 200,000 SF retail development. The proposal includes 750 units of MF-6 housing and 150,000 SF of office. Based on this mix and utilizing ITE standards, we estimate that this development scenario would add approx. 27,700 daily trips to the intersection of 45th and Bull Creek Rd. In presenting this scenario, we assume that major improvements could be made to Bull Creek Rd and to 45th St as part of a development agreement with the City of Austin. This scenario provides enough open space to meet WQ and detention basin requirements under both the PFM and VDP models.



Community Benefits Summary

Our medium-density mixed-use development scenario, while not expressly created to maximize community benefits as communicated by the neighborhood representatives and the BCRC report, does provide ample space for community programming. The plan provides connections for vehicles, public transit, bicycles and pedestrians near existing intersections and green spaces. The plan provides a mix of densities, with multi-family housing capable of being devoted to affordable housing. It also provides commercial space that can serve the needs of the surrounding neighborhoods. The plan shows an abundance of park space that not only preserves existing old growth trees but also connects an extended Shoal Creek trail to the existing bike lanes along Bull Creek Rd via parkland buffers on the north and southeast sides of the development. The development is compact and connected and reflects a development density that does not overburden the adjacent infrastructure.

Conclusion

These findings will be used by the real estate appraiser to help determine the highest and best use and value for the 75.79 Ac subject property. We trust that this report is responsive to your request and meets the terms of the agreed-upon scope of work. We are available to answer any questions you may have and can provide additional assistance if needed.

Respectfully,

A handwritten signature in black ink, appearing to read 'Matthew Beard', with a long horizontal flourish extending to the right.

Matthew Beard, Land Planner
Alterra Design Group

Appendix



45th Street Crossing Shoal Creek near NEC of Subject



Looking north from open fields SE of TxDMV buildings



Looking east from open fields SE of TxDMV buildings



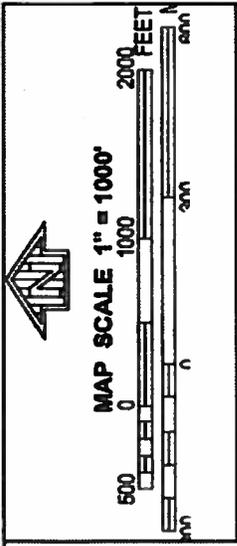
Looking toward intersection of 45th St and Bull Creek Rd from northernmost TxDMV parking lot



Looking north along eastern tree line separating subject from adjacent residences



Looking south along eastern tree line separating subject from adjacent residences



PANEL 0448H

FIRM FLOOD INSURANCE RATE MAP
TRAVIS COUNTY, TEXAS
AND INCORPORATED AREAS

PANEL 448 OF 730
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:	NUMBER	PANEL SUFFIX
COMMUNITY	4102A	H
TRAVIS COUNTY	0448	H
AUSTIN, CITY OF	4802A	H
ROLLINGWOOD, CITY OF	4802B	H
WESTLAKE HILLS, CITY OF	4802D	H

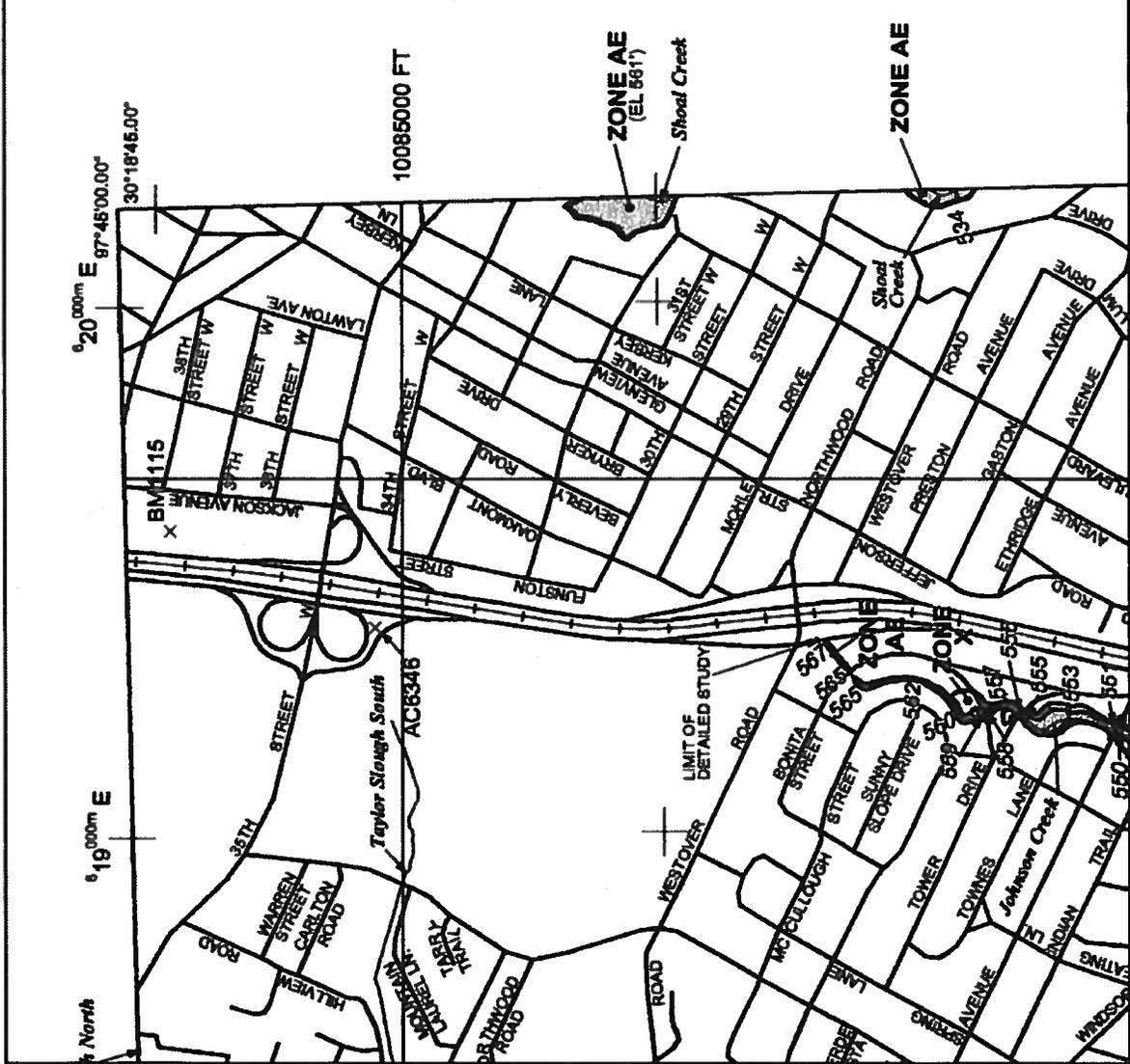
MAP NUMBER
 48403C0448H
MAP REVISED
 SEPTEMBER 20, 2008

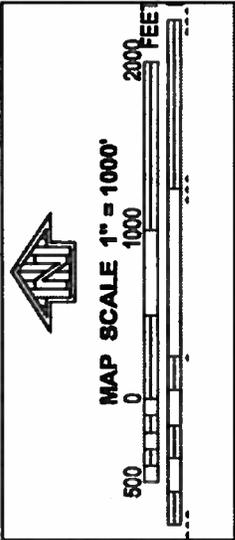
Federal Emergency Management Agency



Notice to User: This map number should never be used when planning map orders. The Community Number shown above should be listed on insurance applications for the subject community.

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the block. For the latest flood information, contact the National Flood Insurance Program. Flood maps check the FEMA Flood Map. Store all www.fema.gov





PANEL 0438H

**FIRM
FLOOD INSURANCE RATE MAP
TRAVIS COUNTY,
TEXAS
AND INCORPORATED AREAS**

**PANEL 495 OF 730
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)**

CONTAINS:

NUMBER	0498	H
COMMUNITY	491028	0498
TRAVIS COUNTY	488004	0498
AUSTIN, CITY OF		H

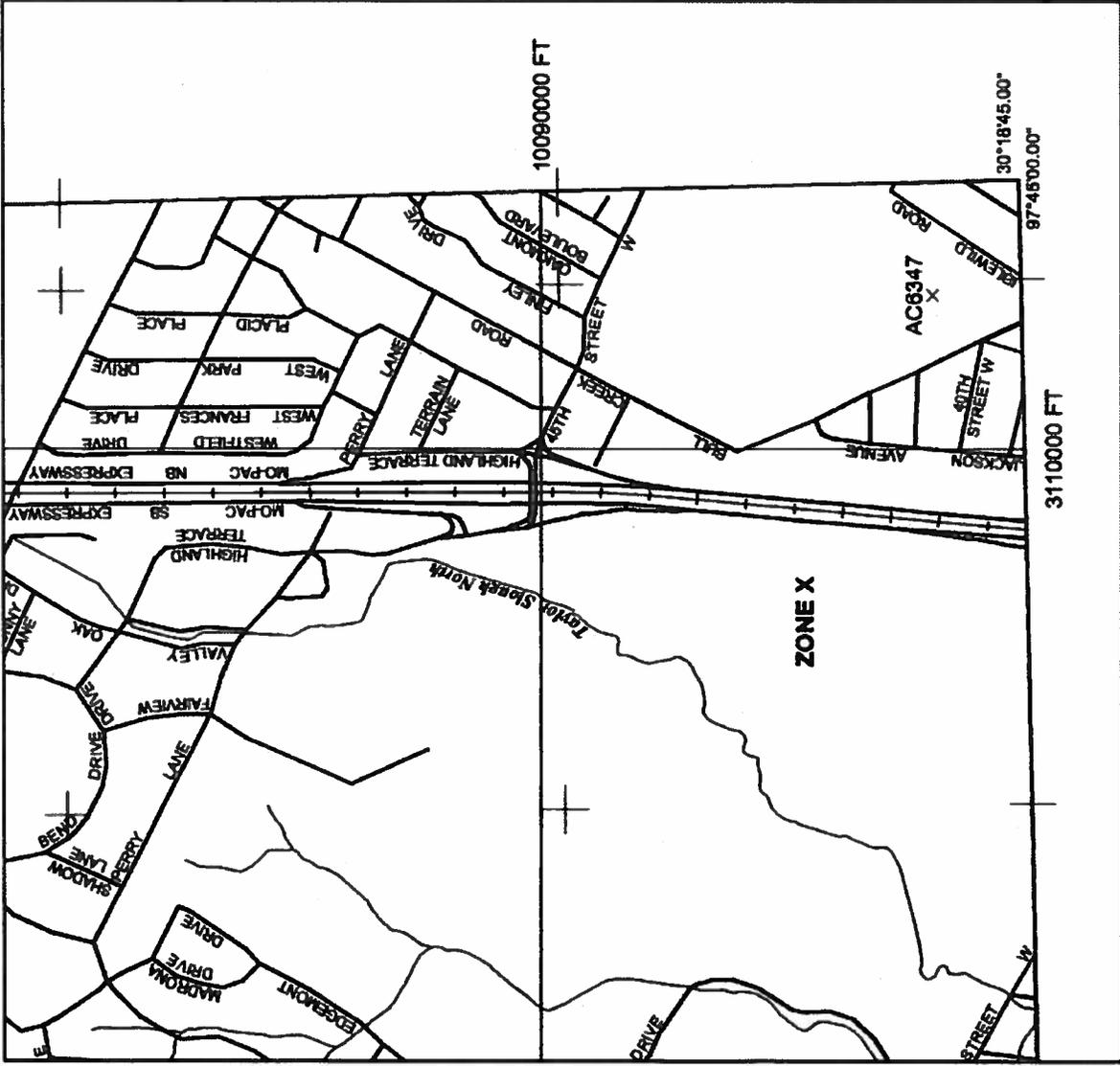
**MAP NUMBER
48453C0438H
MAP REVISED
SEPTEMBER 26, 2008**

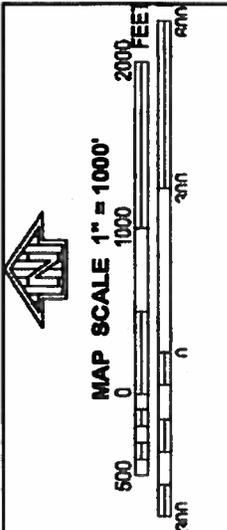
Federal Emergency Management Agency

NATIONAL FLOOD INSURANCE PROGRAM



This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at www.fema.gov





FIRM
FLOOD INSURANCE RATE MAP
TRAVIS COUNTY,
TEXAS
AND INCORPORATED AREAS

PANEL 456 OF 730
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:
 COMMUNITY NUMBER 48004
 AUSTIN CITY OF 48004
 PANEL SUFFIX 48004
 DMR 48004
 H 48004

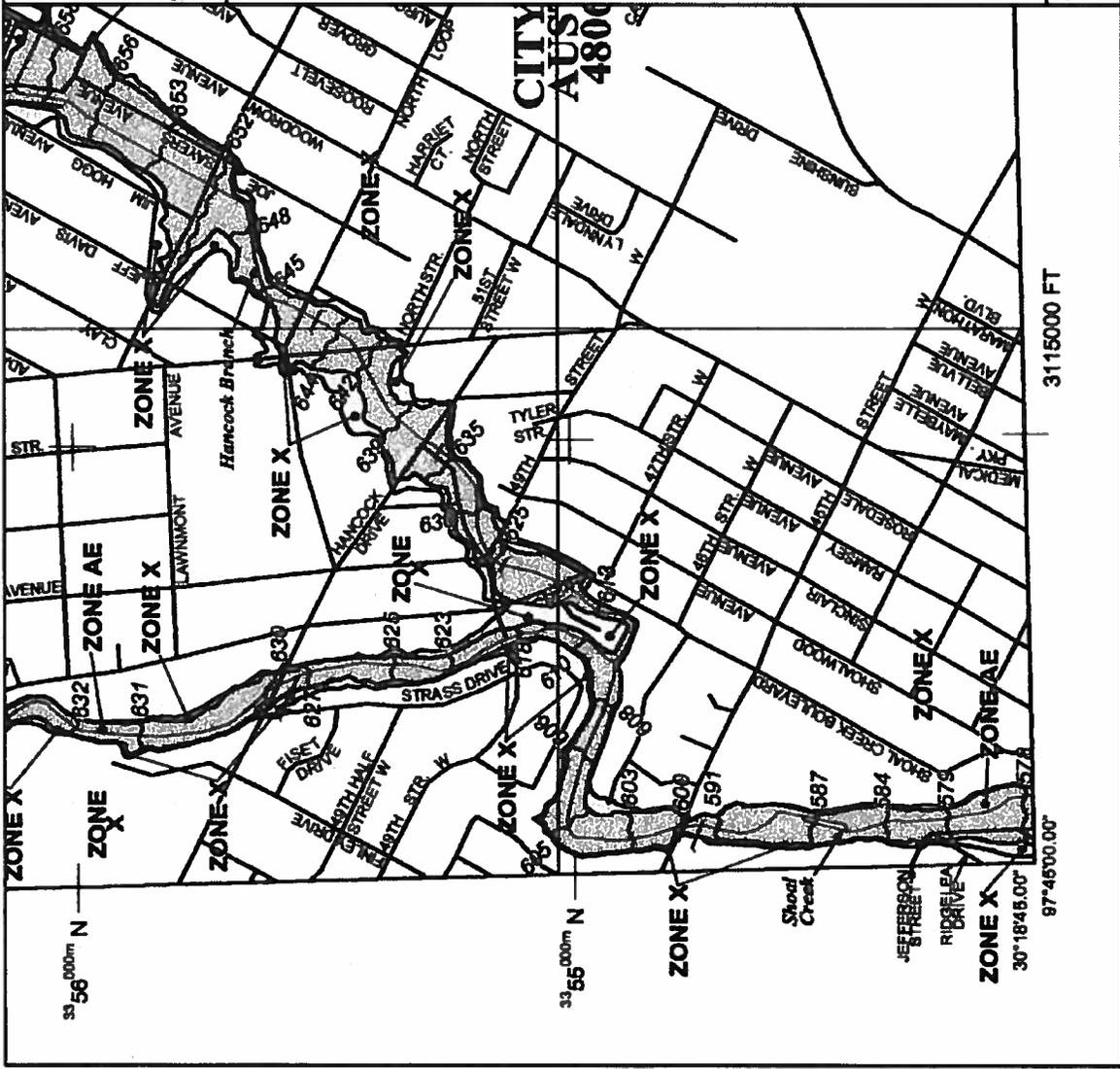
MAP NUMBER 40453C0465H
 MAP REVISED SEPTEMBER 26, 2006

Federal Emergency Management Agency



Notice to User: The Map Number shown below should be used when placing map orders. The Community Number shown above should be used on insurance applications for the subject community.

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3115000 FT

97°46'00.00"

Property Search Results > 122169 STATE OF TEXAS for Year 2014

New Search

Details Map

Click on a title bar to expand or collapse the information.

Expand All

Property

Account

Property ID: 122169 Legal Description: ABS 697 SUR 7 SPEAR G W ACR 75.79
 Geographic ID: 0124000201 Agent Code:
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: BULL CREEK RD TX 78731 Mapsco: 554H
 Neighborhood: FORMERLY ZEXMP Map ID: 011808
 Neighborhood CD: _ZEXMP

Owner

Name: STATE OF TEXAS Owner ID: 119407
 Mailing Address: DEPARTMENT OF HIGHWAYS % Ownership: 100.0000000000%
 PO BOX 15426
 AUSTIN , TX 78761-5426

Exemptions: EX-XV

Values

Taxing Jurisdiction

Improvement / Building

No improvements exist for this property.

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	LAND	Land	75.7900	3301412.00	0.00	0.00	\$14,856,354	\$0

Roll Value History

Deed History - (Last 3 Deed Transactions)

Questions Please Call (512) 834-9317

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City of Austin Watershed Protection Ordinance Regulations Summary Table

Effective: October 28, 2013

Red Text = Change from Previous Requirements

REGULATORY CATEGORY	ZONE	DESIRED DEVELOPMENT ZONE			DRINKING WATER PROTECTION ZONE		
		Urban	Suburban City Limits	N. Edwards / ETJ	Water Supply Suburban	Water Supply Rural	Barton Springs Zone
Impervious Cover (IC)	Calculation Basis Transfers Allowed	Gross Site Area No	Gross Site Area Yes	Gross Site Area Yes	Net Site Area Yes	Net Site Area Yes	Net Site Area No
	Uplands: Max Pct IC	Max Pct	Max Pct	Max Pct	Max Pct	Max Pct	Max Pct
	Single-Family Res. (Lot > 5750 ft ²)	50% / 60%	50% / 60%	45% / 50%	30% / 40%	30% / 40%	R / BC / C **
	Single-Family Res. (Lot < 5750 ft ²)	No Watershed IC Limit: Zoning Limits only	55% / 65%	55% / 65%	55% / 65%	55% / 65%	15% / 20% / 25% for all uses
	Multi-Family Residential	80% / 90%	80% / 90%	65% / 70%	40% / 55%	20% / 25%	** R = Recharge Zone BC = Barton Creek Contributing C = Other Contributing
Waterway Classifications	Commercial Max Pct	80% / 90%	80% / 90%	65% / 70%	40% / 55%	20% / 25%	** R = Recharge Zone BC = Barton Creek Contributing C = Other Contributing
	WQ Transition Zone:	Not Applicable	Not Applicable	Not Applicable	18%	1 SF unit / 3 acres	1 SF unit / 3 acres
	Critical WQ Zone:	None (except limited road crossings)	None (except limited road crossings)	None (except limited road crossings)	None (except limited road crossings)	None (except limited road crossings)	None over recharge road crossings
	Max Pct IC	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius
	Critical Environmental Feature (CEF) Max Pct IC	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius	None within 150 to 300 ft radius
Waterway Setbacks	Minor	64 acres	64 - 320 acres	64 - 320 acres	64 - 320 acres	64 - 320 acres	64 - 320 acres
	Intermediate	Urban creeks not classified	320 - 640 acres				
	Major	Urban creeks not classified	over 640 acres				
	Notes	Urban creeks not classified	Urban creeks not classified	Urban creeks not classified	Urban creeks not classified	Urban creeks not classified	Urban creeks not classified
	Critical Water Quality Zone	50 - 400 ft.	100 ft.	100 ft.	50 - 100 ft.	50 - 100 ft.	50 - 100 ft.
Water Quality Controls	Minor	50 - 400 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
	Intermediate	50 - 400 ft.	200 ft.	200 ft.	100 - 200 ft.	100 - 200 ft.	100 - 200 ft.
	Major	50 - 400 ft.	300 ft.	300 ft.	200 - 400 ft.	200 - 400 ft.	200 - 400 ft.
	Notes	No CWOZ Downtown	Between min and max width, coincides with the 100-year fully-developed floodplain	Between min and max width, coincides with the 100-year fully-developed floodplain	Between min and max width, coincides with the 100-year fully-developed floodplain	Between min and max width, coincides with the 100-year fully-developed floodplain	Between min and max width, coincides with the 100-year fully-developed floodplain
	Variances from Buffers	Not Required	Not Required	Not Required	Must apply for Land Use Commission variance	Must apply for Land Use Commission variance	Must apply for Land Use Commission variance
Water Quality Controls	Treatment Standard	Sedimentation/ Filtration	Sedimentation/ Filtration	Sedimentation/ Filtration	Sedimentation/ Filtration	Sedimentation/ Filtration	Sedimentation/ Filtration
	When Required	All new/developed if IC > 8,000 sq. ft.	All new/developed if IC > 8,000 sq. ft.	All new/developed if IC > 8,000 sq. ft.	All new/developed if IC > 8,000 sq. ft.	All new/developed if IC > 8,000 sq. ft.	All new/developed if IC > 8,000 sq. ft.
	Allowed in Creek Buffer	CWOZ = Yes per ECM WQIZ = N/A	CWOZ = Yes per ECM WQIZ = N/A	CWOZ = Yes per ECM WQIZ = N/A	CWOZ = No WQIZ = Yes per ECM	CWOZ = No WQIZ = Yes per ECM	CWOZ = No WQIZ = Yes per ECM
	Alternative Strategies Allowed	Yes	Yes	Yes	Yes	Yes	Yes
	Optional Payment-in-Lieu	Yes	No	No	No	No	No

Key: CWOZ = Critical Water Quality Zone, ETJ = Extra-Territorial Jurisdiction, IC = Impervious Cover, SF = Single-Family Residential, WQ = Water Quality, WQIZ = Water Quality Transition Zone

ARTICLE 14. - PARKLAND DEDICATION.

§ 25-1-601 - APPLICABILITY.

- (A) Except as provided in Subsections (B) and (C), the parkland dedication requirements of this article apply to:
 - (1) residential subdivisions; and
 - (2) site plans with three or more dwelling units.
- (B) This article does not apply in the portion of the City's extraterritorial jurisdiction that is within Travis County. Parkland dedication for that area is governed by Title 30 (*Austin/Travis County Subdivision Regulations*).
- (C) The following are exempt from the requirements of this article:
 - (1) a plat with not more than four lots designated for a single-family residential use that may be approved without a preliminary plan;
 - (2) a resubdivision of land that does not increase the number of dwelling units or lots by more than three;
 - (3) a subdivision for which a preliminary plan was approved after June 30, 1984 and before July 8, 1985;
 - (4) a subdivision or site plan within a municipal utility district that has a consent agreement and land use plan approved by the City that provides for the dedication of parkland or recreational facilities or the payment of fees instead of dedication of the parkland or facilities; and
 - (5) a subdivision or site plan for which parkland was previously dedicated or payment made under this title, except for the dwelling units or lots that exceed the number for which dedication or payment was made.

Source: Ord. 20070621-027.

§ 25-1-602 - DEDICATION OF PARKLAND REQUIRED.

- (A) A subdivider or site plan applicant shall provide for the parkland needs of the residents by the dedication of suitable land for park and recreational purposes under this article.
- (B) For a subdivision, the area to be dedicated must be shown on the preliminary plan and the plat and included in the dedication statement. The subdivider shall dedicate to the City all parkland required by this article when a plat is approved.
- (C) For a site plan, the area to be dedicated must be shown on the site plan and in a deed to the City. The applicant shall dedicate to the City all parkland required by this article before the site plan is approved.
- (D) The amount of parkland required to be dedicated to the City is five acres for every 1,000 residents, as determined by the following formula:

$$\frac{5 \times (\text{Number Of Units})}{\times (\text{Residents Per Unit})} = \text{Acres of parkland}$$

1000

(E) In calculating the amount of parkland to be dedicated under this section, the number of residents in each dwelling unit is based on density as follows:

Dwelling Units Per Acre	Residents In Each Dwelling Unit
Not more than 6	2.8
More than 6 and not more than 12	2.2
More than 12	1.7

(F) If the density of a development is not known:

- (1) the density is assumed to be the highest permitted in the zoning district, or if the property is not zoned, 24 dwelling units per acre; or
- (2) the developer may reduce the assumed density by restricting density in a restrictive covenant enforceable by the City and approved by the city attorney.

(G) The subdivider or site plan applicant shall pay all costs of transferring the parkland to the City, including the costs of:

- (1) an environmental site assessment without any further recommendations for clean-up, certified to the City not earlier than the 120th day before the closing date;
- (2) a Category 1(a) land title survey, certified to the City and the title company not earlier than the 120th day before the closing date;
- (3) a title commitment with copies of all Schedule B and C documents, and an owner's title policy;
- (4) a fee simple deed;
- (5) taxes prorated to the closing date;
- (6) recording fees; and
- (7) charges or fees collected by the title company.

Source: Ord. 20070621-027.

§ 25-1-603 - STANDARDS FOR DEDICATED PARKLAND.

- (A) Land to be dedicated as parkland must comply with the standards in the Comprehensive Plan, the Park and Recreation Action Plan, the Administrative Criteria Manual, and this section.
- (B) The director of the Parks and Recreation Department shall determine whether land offered for dedication complies with the standards for dedication.
- (C) Fifty percent of acreage in the 100 year floodplain that is dedicated as parkland may be credited toward fulfilling the requirements of this article if the adjoining land within the 25 year floodplain, if any, is also dedicated as parkland. The land within the 25 year floodplain may not be credited toward fulfilling the requirements of this article.
- (D) Land identified on the Critical Areas Map maintained by the Watershed Protection and Development Review Department that does not otherwise comply with the standards for parkland dedication may be accepted as dedicated parkland if the director of the Parks and Recreation Department determines that the land will provide recreational or educational opportunities for the surrounding

community. In this event, 50 percent of the acreage may be credited toward fulfilling the requirements of this article.

Source: Ord. 20070621-027.

§ 25-1-604 - PRIVATE PARKLAND.

- (A) The director of the Parks and Recreation Department may allow up to a 50 percent credit toward fulfilling the requirements of this article for privately owned and maintained park and recreational facilities that are for use by the public.
- (B) The director of the Parks and Recreation Department may allow up to a 100 percent credit toward fulfilling the requirements of this article for private parkland in a subdivision or site plan located outside the city limits, if:
 - (1) the director of the Parks and Recreation Department determines that the private parkland meets City parkland standards; and
 - (2) the land owner agrees to dedicate the private parkland to the City when the City annexes the land for all purposes.
- (C) Private parkland excludes yards, setback areas, and open spaces required by this title.

Source: Ord. 20070621-027.

§ 25-1-605 - PAYMENT INSTEAD OF LAND.

- (A) The director of the Parks and Recreation Department may require a subdivider or site plan applicant to deposit with the City a cash payment or fiscal security instead of the dedication of parkland if:
 - (1) less than six acres is required to be dedicated; or
 - (2) the land available for dedication does not comply with the standards for dedication.
- (B) A subdivider must make the deposit before the subdivision may be approved, except that for the portion, if any, of the subdivision that requires a site plan, the subdivider may defer the deposit until after a site plan is filed.
- (C) A site plan applicant must make the deposit before the site plan may be approved.
- (D) The amount of the deposit is determined by multiplying the number of dwelling units by the parkland cost for each dwelling unit, excluding the affordable dwelling units. The determination is made on the date of the deposit using the most recent parkland cost for each dwelling unit. In this subsection:
 - (1) The number of dwelling units is:
 - (a) for a deposit made at the time of subdivision, calculated in accordance with Section 25-1-602 (*Dedication Of Parkland Required*); or
 - (b) for a deposit made at the time of site plan, the number shown on the site plan.
 - (2) The parkland cost for each dwelling unit is:
 - (a) based on a report by the city manager that analyzes of the costs of acquiring and developing parkland and determines the proportionate share of those costs attributable to new residential development;
 - (b) approved by council; and
 - (c) periodically reviewed by the city manager and council.
 - (3) Affordable dwelling unit means a dwelling unit that is certified by the director of the Neighborhood Housing and Community Development Department as being reasonably priced under the S.M.A.R.T. Housing Program standards adopted by council resolution for rental or

purchase by a household earning not more than 80 percent of the median family income for the Austin statistical metropolitan area.

- (E) A deposit must be placed in the City's Neighborhood Park and Recreation Improvement Fund. The deposit must be used for the acquisition or improvement of neighborhood parks that will benefit the residents of the subdivision or site plan and that are located in the service area defined by the Parks and Recreation Department.
- (F) The City shall expend a deposit within five years from the date it is received. This period is extended by five years if, at the expiration of the initial five year period, less than 50 percent of the residential units in the subdivision or on the site plan have been constructed.
- (G) If the City does not expend a deposit by the deadline described in Subsection (F), and the actual number of residential units constructed is less than the number assumed at the time the deposit was calculated, the owner may request a refund. The request must be in writing and filed with the director of the Parks and Recreation Department not later than 180 days after the expiration of the time period described in Subsection (F). A refund is calculated by multiplying the percentage of the reduction in the number of residential units times the amount of the deposit. A refund may not exceed the unexpended amount of a deposit.

Source: Ord. 20070621-027.

§ 25-1-606 - SUBMITTAL REQUIREMENTS.

- (A) The director of the Parks and Recreation Department may request that the subdivider or site plan applicant provide information relating to proposed parkland to determine whether the proposed parkland complies with this article.
- (B) A subdivider or site plan applicant shall provide the information requested under this section.

Source: Ord. 20070621-027.

ARTICLE 10. - COMPATIBILITY STANDARDS.

Division 1. - General Provisions.

§ 25-2-1051 - APPLICABILITY.

- (A) Except as provided in Section 25-2-1052 (*Exceptions*) or another specific provision of this title, this article applies to the following uses:
- (1) A use in a townhouse and condominium residence (SF-6) or less restrictive zoning district and to a civic use described in Subsection (B) that is located on property:
 - (a) across the street from or adjoining property:
 - (i) in an urban family residence (SF-5) or more restrictive zoning district;
 - (ii) on which a use permitted in an SF-5 or more restrictive zoning district is located, other than a dwelling permitted by Section 25-2-894 (*Accessory Uses For A Principal Commercial Use*); or
 - (iii) in a traditional neighborhood (TN) zoning district; or
 - (b) located 540 feet or less from property in:
 - (i) an SF-5 or more restrictive zoning district;
 - (ii) a TN district; or
 - (iii) a development reserve (DR) zoning district.
 - (2) A use listed in Subsections 1.2.2(K)-(Q) of Subchapter F (*Residential Design and Compatibility Standards*), if the owner has agreed to comply with the requirements of this article in a manner prescribed by the director under Subsection 1.3.3 of Subchapter F.
- (B) In Subsection (A), a civic use is a:
- (1) college and university facilities use;
 - (2) community recreation (private) use;
 - (3) community recreation (public) use;
 - (4) day care services (commercial) use;
 - (5) park and recreation services (special) use;
 - (6) private primary educational facilities use;
 - (7) a private secondary educational facilities use;
 - (8) a public primary educational facilities use;
 - (9) a public secondary educational facilities use; or
 - (10) a religious assembly use.
- (C) Under this article, residential property in a planned unit development (PUD) zoning district is treated as property in an SF-5 zoning district if the PUD land use plan establishes the density for the residential area at 12.44 units per acre or less.

Source: Sections 13-2-731(a) and (d) and 13-2-25(2); Ord. 990225-70; Ord. 031211-11; Ord. 20061130-064; Ord. 20080618-093.

§ 25-2-1052 - EXCEPTIONS.

- (A) This article does not apply to:
- (1) construction for a residential use that is permitted in an urban family residence (SF-5) or more restrictive zoning district and that complies with SF-5 or more restrictive zoning district site development regulations;
 - (2) property in a historic landmark (H) or historic area (HD) combining district;
 - (3) a structural alteration that does not increase the square footage, area, or height of a building; or
 - (4) a change of use that does not increase the amount of required off-street parking.
- (B) This article does not apply if property that triggers the compatibility standards is located in an SF-5 or more restrictive zoning district and is:
- (1) in the 100-year floodplain, in a rural residence (RR) zoning district, and not developed with a single-family dwelling;
 - (2) a buffer zone established before March 1, 1984;
 - (3) a right-of-way, utility easement, or railroad line that is not located on property protected by this article; or
 - (4) developed with a use not permitted in an SF-5 or more restrictive zoning district, if the use fronts on:
 - (a) an arterial street defined by the Transportation Plan; or
 - (b) an industrial street with a right-of-way of at least 80 feet.
- (C) For a property that contains a structure in which a use permitted in an SF-6 or less restrictive district is located and a structure in which a use permitted in an SF-5 or more restrictive use is located, this article does not apply to that portion of the property that is closer to the structure containing the use permitted in an SF-5 or more restrictive district.
- (D) This article does not apply to a passive use, including a park and hike and bike trail, in the 100 year flood plain if:
- (1) the requirements of Chapter 25-8 (*Environment*) are met; and
 - (2) The use is within an easement dedicated to the City, if applicable.
- (E) For an area used or developed as a residential infill or neighborhood urban center special use in a neighborhood plan combining district, this article applies only to the property along the perimeter of the area.
- Source: Sections 13-2-731(b), (c) and (e) and 13-2-737; Ord. 990225-70; Ord. 000406-81; Ord. 031211-11; Ord. 041202-16; Ord. 20050519-008; Ord. 20061130-064; Ord. 20090212-070; Ord. 20131017-046.

Division 2. - Development Standards.

§ 25-2-1061 - STREET FRONTAGE FOR A CORNER SITE.

In Sections 25-2-1062 (*Height Limitations And Setbacks For Small Sites*) and 25-2-1063 (*Height Limitations And Setbacks For Large Sites*), street frontage for a corner site is measured along the more major street. If both streets are the same type, street frontage is measured along the shorter side of the site.

Source: Sections 13-2-733(a) and 13-2-734(b); Ord. 990225-70; Ord. 031211-11.

§ 25-2-1062 - HEIGHT LIMITATIONS AND SETBACKS FOR SMALL SITES.

- (A) This section applies to a site that has:
- (1) an area that does not exceed 20,000 square feet; and
 - (2) a street frontage that does not exceed 100 feet.
- (B) In this section, the term "structure" excludes a rain garden using no concrete that is designed in accordance with the Environmental Criteria Manual. If a site has a street frontage of 50 feet or less, a person may not construct a structure 15 feet or less from property:
- (1) in an urban family residence (SF-5) or more restrictive zoning district; or
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (C) If a site has a street frontage that is more than 50 feet, but that does not exceed 100 feet, the side and rear setback requirements are as follows:

Length of Street Frontage (Feet)	Side and Rear Setback (Feet)
50.01 to 52.50	15.0
52.51 to 54.99	15.5
55.00 to 57.50	16.0
57.51 to 59.99	16.5
60.00 to 62.50	17.0
62.51 to 64.99	17.5
65.00 to 67.50	18.0
67.51 to 69.99	18.5
70.00 to 72.50	19.0
72.51 to 74.99	19.5
75.00 to 77.50	20.0
77.51 to 79.99	20.5
80.00 to 82.50	21.0
82.51 to 84.99	21.5

85.00 to 87.50	22.0
87.51 to 89.99	22.5
90.00 to 92.50	23.0
92.51 to 94.99	23.5
95.00 to 97.50	24.0
97.51 to 99.99	24.5
100	25.0

(D) The height limitations for a structure are:

- (1) two stories and 30 feet, if the structure is 50 feet or less from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located; or
- (2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located;
- (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive; or
- (4) for a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

Source: Section 13-2-733; Ord. 990225-70; Ord. 000309-39; Ord. 031211-11; Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20131017-046.

§ 25-2-1063 - HEIGHT LIMITATIONS AND SETBACKS FOR LARGE SITES.

(A) This section applies to a site that has:

- (1) an area that exceeds 20,000 square feet; or
- (2) a street frontage that exceeds 100 feet.

(B) In this section, the term "structure" excludes a rain garden using no concrete that is designed in accordance with the Environmental Criteria Manual. A person may not construct a structure 25 feet or less from property:

- (1) in an urban family residence (SF-5) or more restrictive zoning district; or

- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (C) The height limitations for a structure are:
 - (1) two stories and 30 feet, if the structure is 50 feet or less from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located; or
 - (2) three stories and 40 feet, if the structure is more than 50 feet and not more than 100 feet from property:
 - (a) in an SF-5 or more restrictive zoning district; or
 - (b) on which a use permitted in an SF-5 or more restrictive zoning district is located;
 - (3) for a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive; or
 - (4) for a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.

Source: Section 13-2-734; Ord. 990225-70; Ord. 000309-39; Ord. 031211-11; Ord. 20060216-043; Ord. 20060309-058; Ord. 20060622-022; Ord. 20060928-022; Ord. 20131017-046.

§ 25-2-1064 - FRONT SETBACK.

A building must have a front building line setback of at least 25 feet from a right-of-way if the tract on which the building is constructed:

- (1) adjoins property:
 - (a) in an urban family residence (SF-5) or more restrictive zoning district; or
 - (b) on which a use permitted in a SF-5 or more restrictive district is located; and
- (2) fronts on the same street as the adjoining property.

Source: Section 13-2-736(a); Ord. 990225-70; Ord. 031211-11.

§ 25-2-1065 - SCALE AND CLUSTERING REQUIREMENTS.

- (A) The massing of buildings and the appropriate scale relationship of a building to another building may be accomplished by:
 - (1) avoiding the use of a continuous or unbroken wall plane;
 - (2) using an architectural feature or element that:
 - (a) creates a variety of scale relationships;
 - (b) creates the appearance or feeling of a residential scale; or
 - (c) is sympathetic to a structure on an adjoining property; or
 - (3) using material consistently throughout a project and that is human in scale; or
 - (4) using a design technique or element that:
 - (a) creates a human scale appropriate for a residential use; or
 - (b) prevents the construction of a structure in close proximity to a single-family residence zoning district that is:

- (i) significantly more massive than a structure in a single-family residence zoning district, or
 - (ii) antithetical to an appropriate human scale; and
 - (c) allows the construction of a structure, including a multi-family structure, that exhibits a human scale and massing that is appropriate for a residential use.
- (B) Except for good cause, the first tier of buildings in a multi-family or mixed use project must be clustered in a group that is not more than 50 feet wide, as measured along the side of the buildings that are most parallel to the property line of the site.
- (C) The depth of the first tier of buildings described under Subsection (B) may not exceed:
- (1) two units; or
 - (2) 60 feet.
- (D) A building must be at least 10 feet apart from another building, as measured from wall face to wall face.
- (E) Subsections (B), (C), and (D) do not apply to a:
- (1) private or public primary educational facility;
 - (2) private or public secondary educational facility; or
 - (3) a college or university.
- (F) In Subsection (B), good cause may be shown by compliance with Subsection (A).

Source: Section 13-2-735(c) and (d); Ord. 990225-70; Ord. 000309-39; Ord. 031211-11.

§ 25-2-1066 - SCREENING REQUIREMENTS.

- (A) A person constructing a building shall screen each area on a property that is used for a following activity from the view of adjacent property that is in an urban residence (SF-5) or more restrictive zoning district:
- (1) off-street parking;
 - (2) the placement of mechanical equipment;
 - (3) storage; or
 - (4) refuse collection.
- (B) A person constructing shoreline access, as that term is defined in Section 25-2-1172 (*Definitions*), shall screen the shoreline access from the view of property that is in an urban residence (SF-5) or more restrictive zoning district. A person may comply with this Subsection by providing vegetation and tree canopy as prescribed by rule, and may supplement compliance with other screening methods prescribed by rule. The owner must maintain the screening provided under this section.
- (C) A person may comply with Subsection (A) by providing a yard, fence, berm, or vegetation. If a fence is provided, the height of the fence may not exceed six feet, except as otherwise permitted by Section 25-2-899 (*Fences As Accessory Uses*).
- (D) The owner must maintain a fence, berm, or vegetation provided under this section.

Source: Section 13-2-736(c); Ord. 990225-70; Ord. 031211-11; Ord. 20101209-075.

§ 25-2-1067 - DESIGN REGULATIONS.

- (A) Exterior lighting must be hooded or shielded so that the light source is not directly visible from adjacent property:
- (1) in an urban family residence (SF-5) or more restrictive zoning district; or

- (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (B) The noise level of mechanical equipment may not exceed 70 db at the property line.
- (C) A permanently placed refuse receptacle, including a dumpster, may not be located 20 feet or less from property:
 - (1) in an SF-5 or more restrictive zoning district; or
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (D) The location of and access to a permanently placed refuse receptacle, including a dumpster, must comply with guidelines published by the City. The Watershed Protection and Development Review Department shall review and must approve the location of and access to each refuse receptacle on a property.
- (E) A highly reflective surface, including reflective glass and a reflective metal roof with a pitch that exceeds a run of seven to a rise of 12, may not be used, unless the reflective surface is a solar panel or copper or painted metal roof.
- (F) An intensive recreational use, excluding a multi-use trail and including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from adjoining property:
 - (1) in an SF-5 or more restrictive zoning district; or
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (G) Unless a parking area or driveway is on a site that is less than 125 feet wide, a parking area or driveway may not be constructed 25 feet or less from a lot that is:
 - (1) in an SF-5 or more restrictive zoning district; or
 - (2) on which a use permitted in an SF-5 or more restrictive zoning district is located.
- (H) If a site on which a parking area or driveway is constructed is less than 125 feet wide, the width and setback for the parking area or driveway must comply with the following schedule:



Total Site Width	Avg. Parking Width	Setback for Parking	Setback for Driveways
0 to 52.99'	45'	5'	0'
53 to 55.99'	46'	6'	1'
56 to 58.99'	47'	7'	2'
59 to 61.99'	48'	8'	3'
62 to 64.99'	49'	9'	4'
65 to 67.99'	50'	10'	5'
68 to 70.99'	51'	11'	6'
71 to 73.99'	52'	12'	7'

August 31, 2012

Mr. John Eastman
President
Ridgelea Neighborhood Association
3906 Ridgelea Drive
Austin, Texas 78731

STRATUS PROPERTIES INC.
212 LAVACA STREET SUITE 300
AUSTIN, TEXAS 78701
P 512.478.5700
F 512.478.6848

Dear John,

I want to thank you for organizing the initial meeting with your neighbors and representatives from other nearby neighborhood organizations. I found it informative and productive and thought it was a great first step toward reaching an agreement on a development plan for the 79-acre state-owned Bull Creek site.

As promised, please find below a brief description of the conceptual proposal that was submitted to the Texas Facilities Commission under the Public Private Partnership legislation (S.B. 1048) that was passed last session, as well as our goals for the development. Please feel free to distribute to your neighbors and other interested parties while we work to create a visual representation that we can share.

Retail:

200,000 total square feet

An H-E-B grocery store (size undetermined until a market assessment is completed) will serve as the anchor of this village style, mixed-use project. Complementary surrounding retail with a strong emphasis on locally owned businesses will include restaurants, a liquor store, dry cleaners and other neighborhood-appropriate uses. We also envision an Alamo Drafthouse, Violet Crown or Studio Movie Grill type theater, although discussions with specific operators have just begun.

Multi Family:

750 units

No more than 60 feet (four stories) in height

Individual buildings would wrap structured parking

Office:

150,000 total square feet

2 three story buildings, no more than 60 feet in height

Flood Control:

This development presents a unique opportunity to provide much needed drainage improvements along Shoal Creek to help protect downstream neighbors from flooding. We will be meeting with the City of Austin in the near future to discuss this issue and begin to explore potential options.

August 31, 2012

Page 2

Open Space:

Approximately 37 acres

By clustering development in the areas of the site that have few or no trees, we will preserve the magnificent heritage trees at the back of the property, as well as provide an extensive trail system that connects throughout the site and to the existing surrounding neighborhoods. This approach is also compatible with the intent to effectively manage stormwater on-site to relieve downstream burdens.

Multi Modal Connectivity:

The project will be connected and accessible for pedestrians, cyclists and passenger vehicles, both surrounding and throughout the interior of the site. This will include but is not limited to new crosswalks and trails for pedestrians, dedicated lanes for bicyclists and road and intersection improvements for vehicles. We have also proposed an alleyway behind the homes adjacent to the property that face 45th Street to improve access and safety for those homeowners.

Green Building:

Former U.S. Green Building Council Chair Gail Vittori with the Austin-based Center for Maximum Potential Building Systems (www.cmpbs.org) will lead sustainability planning for the project. Recognizing the sustainability benefits associated with a cohesive development scale approach, we plan to pursue LEED for Neighborhood Development certification, and will also require individual buildings to meet third-party green building certification. This will position the project as a showcase of state of the art healthy, green building practices, as we did for our LEED Silver-certified W Austin/Austin City Limits Live project downtown.

It is also important to note that while the State's position is that we are not required to go through the City of Austin development review and approval process, we are voluntarily agreeing to that and will do so.

We look forward to working with the surrounding neighborhoods to ensure that this project becomes an attractive and well planned addition to the central Austin community.

Please feel free to contact us if you have any questions.

Sincerely,



Beau Armstrong
CEO
Stratus Properties Inc.

Cc: Mr. Terry Keel, Executive Director,
Texas Facilities Commission



Land Allocation:	
Retail:	21 Acres
Multi-Family:	12 Acres
Office:	5.5 Acres
Greenspace/Park/Pond:	36.5 Acres
Total Land:	75 Acres
Building Area by Use:	
Retail:	200,000 SF
Multi-Family:	750 Units (800 SF Avg.)
Office:	150,000 SF
Total Building Area:	950,000 SF

Conceptual Site/Land Use Plan

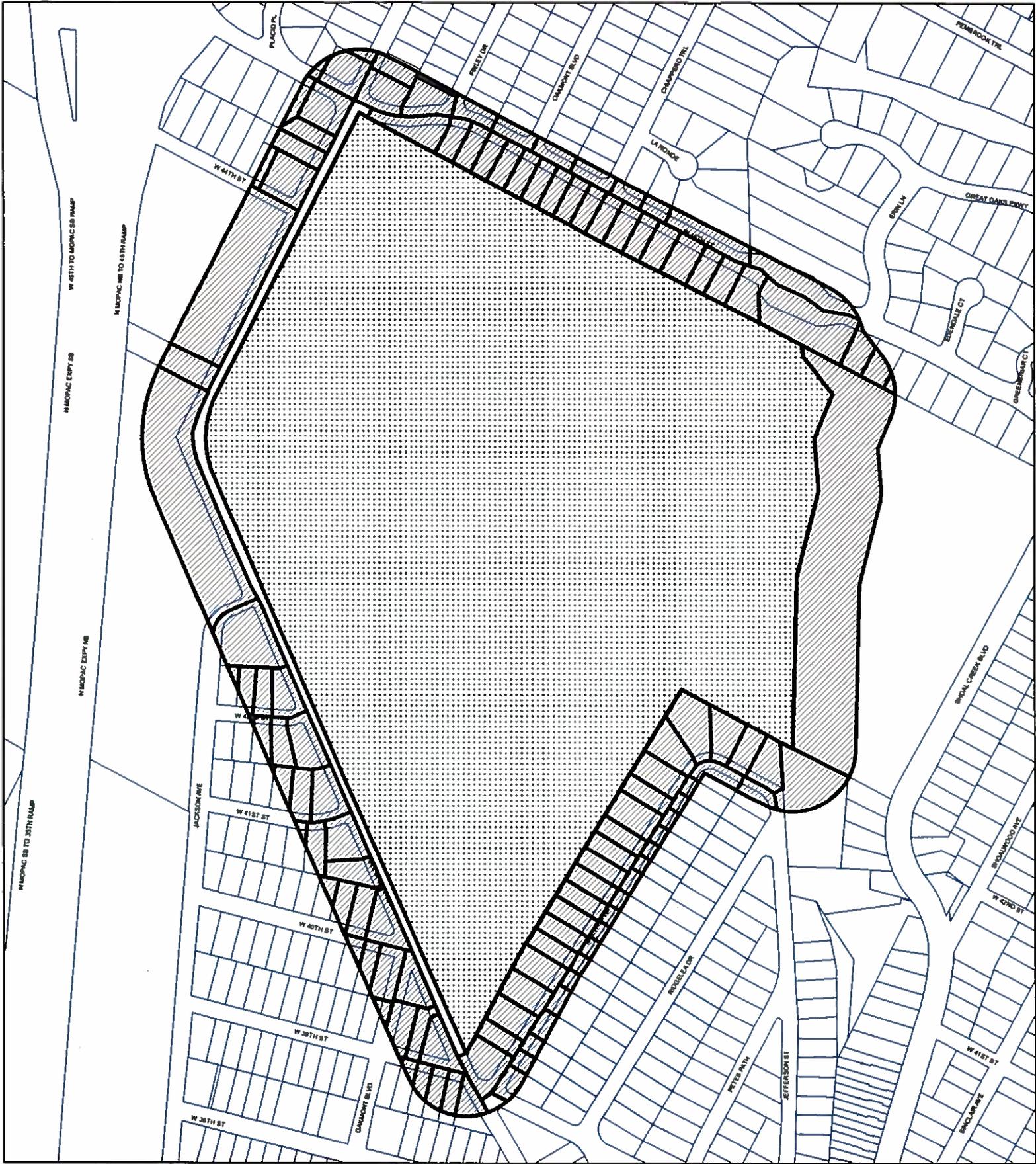
Scale: 1" = 100'

A Joint Venture
 HEB Grocery Company & Stratus Properties

ENVIROPLAN Architects Planners
 September 10, 2012

Development Scenarios

	PURE SINGLE FAMILY Highest/Best Use	TxDOT	MEDIUM	HIGH
MARKET VALUE	\$40,875,000	\$18,170,000	\$2,840,000	\$10,330,000
LAND USE	SF2 and SF3 TOTAL: 49.7 acres (66%)	MF2: 8.02 acres SF6: 16.00 acres SF3: 23.73 acres TOTAL: 47.75 acres (63%)	MF3: 16.67 acres SF6: 13.33 acres Retail: 4.72 acres TOTAL: 34.72 acres (46%)	MF6: 12.0 acres Office: 5.5 acres Retail: 21.0 acres TOTAL: 38.5 acres (51%)
COMMUNITY BENEFITS	Park: 4.6 acres Flood Plain: 3.71 acres Water Quality: 6.45 acres + 2.56 acres ROW: 14.8 acres Open Space: 11.2 acres TOTAL: 43.32 acres (57%)	Park: 9.69 acres Flood Plain: 3.71 acres Water Quality: 6.26 acres ROW: 14.46 acres TOTAL: 34.12 acres (45%)	Park: 6.86 acres Flood Plain: 3.71 acres Water Quality: 6.98 acres ROW: 10.2 acres Open Space: 30.87 acres TOTAL: 58.62 acres (78%)	Park: 6.735 acres Flood Plain: 3.71 acres Water Quality: 5.775 acres ROW: 11.2 acres Open Space: 26.125 acres TOTAL: 53.545 acres (71%)
DAILY TRAFFIC TRIPS	2,900	6,800	10,000	27,700
# of DWELLING UNITS	303	825	760	750
# OF RESIDENTS	849	1,865	1,372	1,275
WATER LINE COST	\$150,000	\$2.75 - \$3.5 million	\$2.75 - \$3.5 million	\$2.75 - \$3.5 million
TRANSPORTATION COST		\$7,750,000	\$7,750,000	\$7,750,000



PETITION

CASE#: C814-2015-0074

-  BUFFER
-  PROPERTY_OWNER
-  SUBJECT_TRACT



1" = 400'

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

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



PETITION

Case Number:

C814-2015-0074

Date: 4/8/2016

Total Square Footage of Buffer: 1697803.025

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

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

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

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

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

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

JEFFERY L. HART

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

October 14, 2015

Via email and hand delivery.

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

Re: Proposed Grove at Shoal Creek Planned Unit Development

Dear Mr. Guernsey,

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

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

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

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

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

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

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

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

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

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

Very truly yours,



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

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

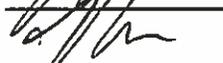
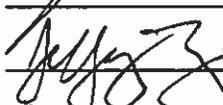
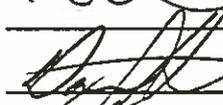
ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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

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

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: 03/30/16

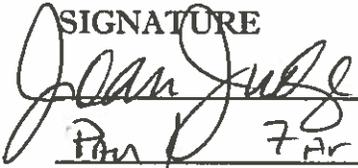
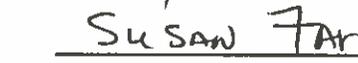
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SIGNATURE	PRINTED NAME	ADDRESS
	JOAN Judge	1903 W. 40 th
	Pam Farmer	1901 W. 40
	SUSAN FARMER	1901 W. 40

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814-2015-0074

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4205 BULL CREEK ROAD, AUSTIN, TX 78731

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SIGNATURE	PRINTED NAME	ADDRESS
<u>Debra Martin</u>	<u>Debra Martin</u>	<u>2617 W. 45th, Austin 78731</u>
<u>Mike Crixell</u>	<u>MIKE CRIXEL</u>	<u>"</u>
<u>Maya Cajas</u>	<u>Maya Cajas</u>	<u>2615 W. 45th St, Austin, 78731</u>
<u>Joseph Cajas</u>	<u>Joseph Cajas</u>	<u>2615 W. 45th ST. Austin 78731</u>
<u>Etaine Rushing</u>	<u>Etaine Rushing</u>	<u>2519 W. 45th 78731</u>

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814-2015-0074

ADDRESS OF REZONING REQUEST:
4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

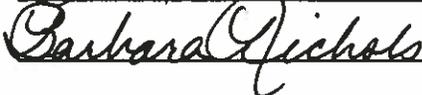
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SIGNATURE

PRINTED NAME

ADDRESS

	Drew Bradford	2619 W. 45th St.
	Andrea Bradford	2619 W. 45th St.
	Barbara Nichols	4500 Erin Lane

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: 2/27/2016

FILE NUMBER: C 814-2015-0074

ADDRESS OF REZONING REQUEST:
4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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SIGNATURE	PRINTED NAME	ADDRESS
	L. FROMMHOLD	2633 W 45 th
	M. FROMMHOLD	4 4
	J. Macaluso	2641 W. 45 th St.

DATE: 2/27/2016

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C 814-2015-0074

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

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

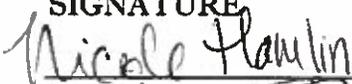
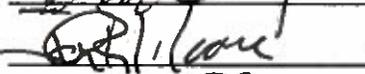
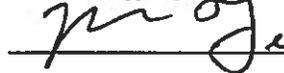
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SIGNATURE	PRINTED NAME	ADDRESS
	Nicole Hamlin	2802 W. 44th St
	Trung Nayer	2801 W. 45th Street
	Tim Hahn	4502 Bullcreek
	Amity Courtois	2643 W. 45th
	Reza Koohrang	2639 W 45th
	Bracken Walden	2640 W. 45th
	John Moore	2637 W. 45th St.
	Bruce Feng II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

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 28, 2016

FILE NUMBER: C814-215-0074

ADDRESS OF REZONING REQUEST:

4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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SIGNATURE

PRINTED NAME

ADDRESS

	Inga Dunstreet	2603 La Ronde 78731
	GRAYSON COX	2621 W 45TH
	DANIEL DE LA GARZA	2621 W. 45TH ST.

DATE: 3/28/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

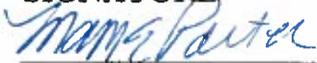
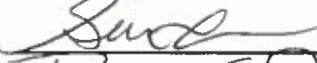
FILE NUMBER: C 814 - 2015 - 0074

ADDRESS OF REZONING REQUEST:
4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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SIGNATURE	PRINTED NAME	ADDRESS
	MARK PORTER	4001 Idlewild Rd
	Grant Clayton	4003 Idlewild Rd.
	ROSEANNE JORDAN	4107 IDLEWILD RD

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

ADDRESS OF REZONING REQUEST:

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SIGNATURE

PRINTED NAME

ADDRESS

[Handwritten Signature]

KIM ZIFFEL

4116 Idlewild Rd 78731

[Handwritten Signature]

MURPHY LEGGÉ

4005 IDLEWILD WOOD

[Handwritten Signature]

Deborah Lewis

4005 Idlewild

[Handwritten Signature]

DEAN McCART

4006 IDLEWILD RD

[Handwritten Signature]

HONORA JACOB

4002 Idlewild Rd

[Handwritten Signature]

Anne T. Kohler

3902 Idlewild Rd

[Handwritten Signature]

Marian Alexander

3906 Idlewild 78731

[Handwritten Signature]

Gary Culpepper

3905 Idlewild 78731

[Handwritten Signature]

Andrew Coulson

4011 Idlewild 78731

[Handwritten Signature]

Cherie Samuel Coulson

4011 Idlewild 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

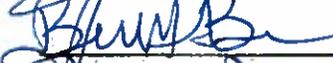
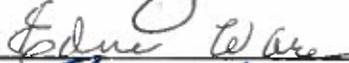
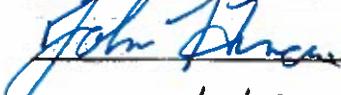
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SIGNATURE	PRINTED NAME	ADDRESS
	SALIM KASSAM	4103 IDLEWILD RD AUSTIN TX 78731
	Eric Zafel	4116 Idlewild Rd Austin TX 78731
	Benet Brier	4112 Idlewild Rd 78731
	Betty Li Arell	4112 Idlewild Rd. 78731
	CHRISTINA TORONYI	3903 IDLEWILD RD 78731
	DORTHA STEWART	4113 IDLEWILD RD 78731
	Thomas Stewart	4113 Idlewild Rd 78731
	EDNA WARE	4112 Ridgeway Ar. 78731
	Brian Toronyi	3903 Idlewild Rd. 78731
	John Hrnait	4004 Idlewild Rd 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C614-2015-0074

ADDRESS OF REZONING REQUEST:
4205 BULL CREEK ROAD, AUSTIN, TX 78731

TO: AUSTIN CITY COUNCIL

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SIGNATURE	PRINTED NAME	ADDRESS
	Joan Lawman	4110 Townsend Ave, Austin, TX 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

PETITION

DATE: MARCH 30, 2016

FILE NUMBER: C814-2015-0074

ADDRESS OF REZONING REQUEST:

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SIGNATURE

PRINTED NAME

ADDRESS



AMER SHAUKAT

4114 IDLEWILD RD AUSTIN TX 78733



Justin D Trajchman

4108 Idlewild Rd Austin, TX



TIMOTHY D. TILTON

4104 Idlewild Rd Austin



NAOMI A. TILTON

4104 IDLEWILD RD AUSTIN



David Savage

4105 Idlewild Rd Austin, TX



Cassy Shaukat

4114 Idlewild Rd. Austin



Vanith W. Derryberry

4106 Idlewild Rd. Austin



Linda Derryberry

4100 Idlewild Rd - Austin



JOHN SPATTH

4012 IDLEWILD RD. 78731



ROB GOLDING

4008 IDLEWILD RD. 78731

DATE: 3/30/16

CONTACT NAME: Grayson Cox

PHONE NUMBER: 512-560-2640

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

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

511,388	TOTAL AREA CONTRIBUTING TO PETITION
1,560,000	TOTAL AREA ALLOWED TO PETITION (WITHIN 200' OF SITE)
20.0%	MINIMUM AREA FOR VALID PETITION
32.8%	AREA OF THIS PETITION

SUPPLEMENTAL INFO

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

52.0% SF ZONING AREA OF THIS PETITION

*AREAS INCLUDE HALF OF ADJACENT ROW PER CITY GUIDANCE

P E T I T I O N

Date: Wednesday, August 10, 2016

File Number: C814-2015-0074

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

Rezoning: SF-2 to PUD

To: Austin City Council

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

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

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

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

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

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

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

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

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

Petition

File Number: C814-2015-0074

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

Page 2 of 4

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

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

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

On March 25, 2016, the City of Austin issued a memo stating "After interdepartmental discussion, the proposed development shall dedicate Jackson Avenue as a public roadway to the City of Austin. As agreed by the applicant, Lot 43, Shoal Village Section 2, shall be dedicated as public right-of-way to the City of Austin for the extension of Jackson Avenue to 45th Street." This memo is attached as “Exhibit G”.⁵ At a March 30, 2016, “Site Plan Presentation,” ARG presented its plans for the Jackson Avenue extension to 45th Street in accordance with the City’s March 25 memo, attached as “Exhibit H”.⁶

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

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

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

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

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

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

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

Petition

File Number: C814-2015-0074

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

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

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

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

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

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

Petition

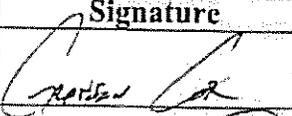
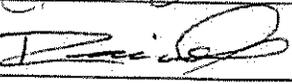
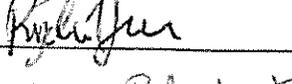
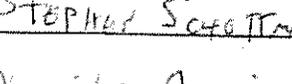
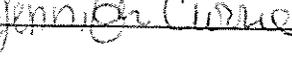
File Number: C814-2015-0074

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

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

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

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

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

Date: 8/11/2016

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

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

Petition

File Number: C814-2015-0074

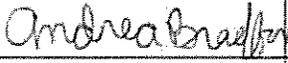
Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2

Page 4 of 4

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

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

Date: 8/9/16
Contact Name: Pim Mayo, (512) 619-6071

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

Petition

File Number: C814-2015-0074

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

Page 4 of 4

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

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

Date: 8/11/2016

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

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

Petition

File Number: C814-2015-0074

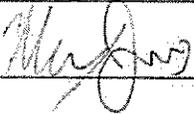
Address of Rezoning Request: 2627 W. 45th Street a/k/a Lot 43, Shoal Village – Section 2

Page 4 of 4

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

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

Date: 8/11/2016

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

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

THE STATE OF TEXAS
COUNTY OF TRAVIS

WHEREAS, T. D. Quinn and wife, Mary Rogers Quinn, are the owners of that certain tract of land out of the George W. Spear Roadright League, Survey No. 7, in Travis County, Texas, as described in Deed from O. G. Eckhardt, Jr., et al. recorded in Vol. 996, Page 684, 687 of the Deed Records of Travis County, Texas, and,

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

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

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

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

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

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

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

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

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

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

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

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

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

10. Enforcement of these restrictions and covenants shall be

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

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

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

T. D. Quinn
T. D. Quinn

Mary Rogers Quinn
Mary Rogers Quinn

THE STATE OF TEXAS
COUNTY OF TRAVIS

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

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

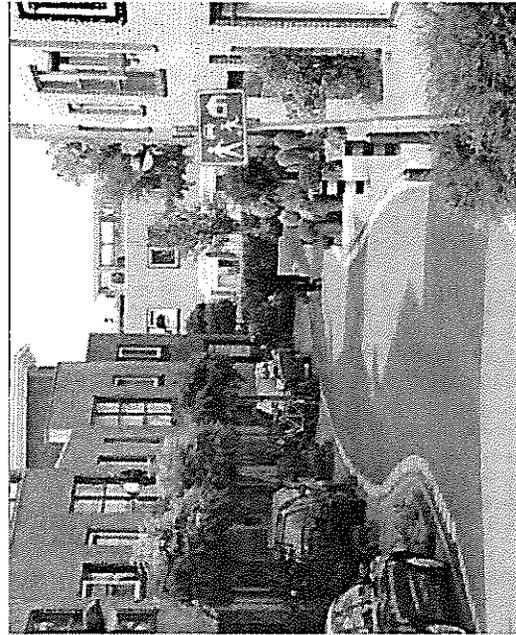
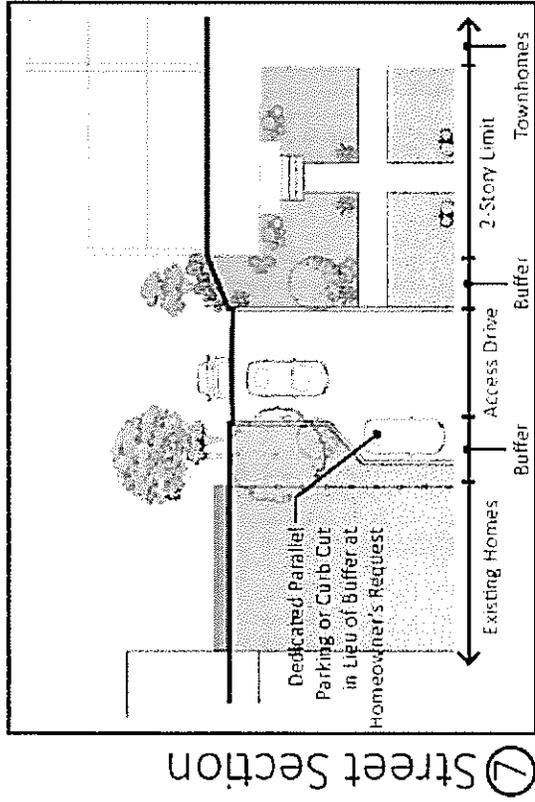
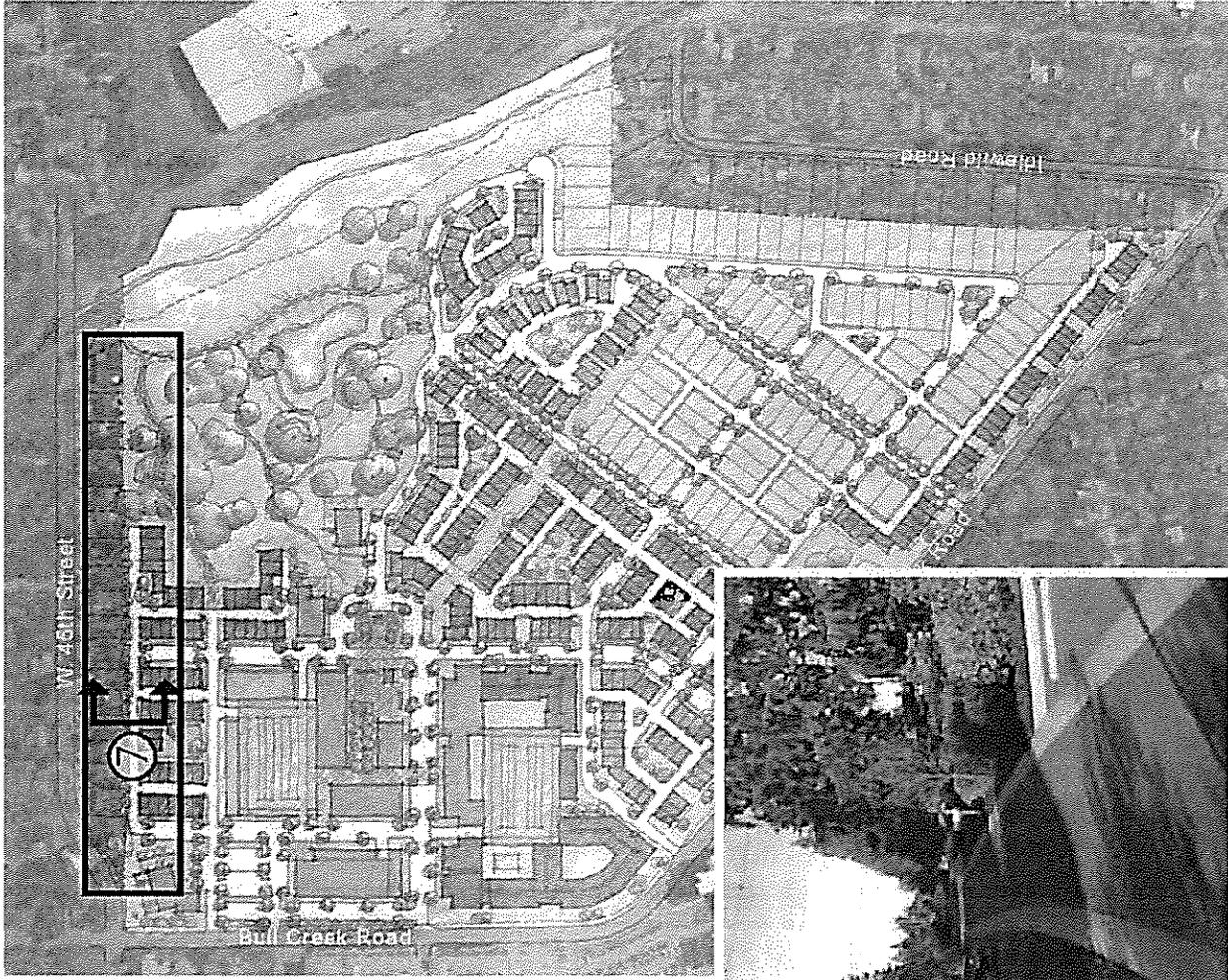
Marion Darwin
Marion Darwin, Notary Public in and for
Travis County, Texas



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

Key Elements 45th Street Edge

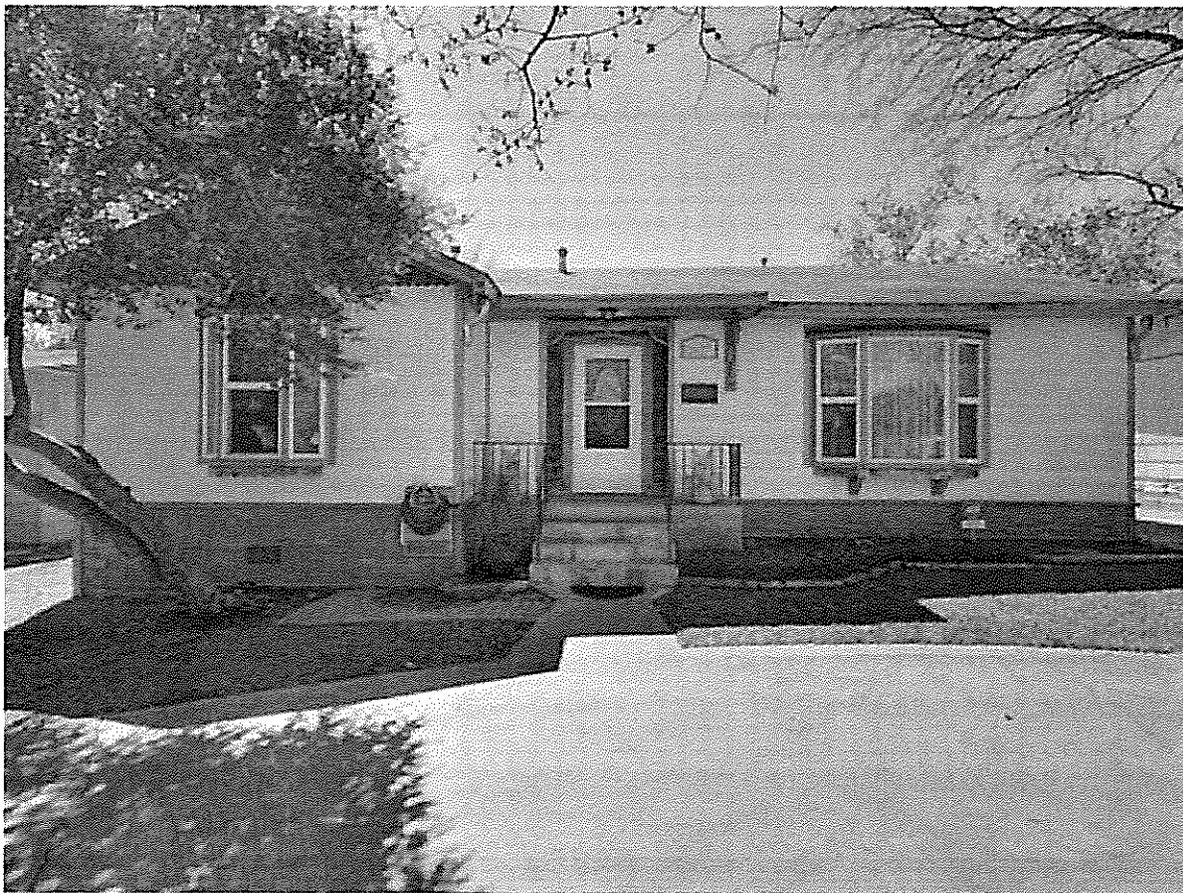
shared-purpose | viable | sustainable | people-oriented | high-quality | inviting



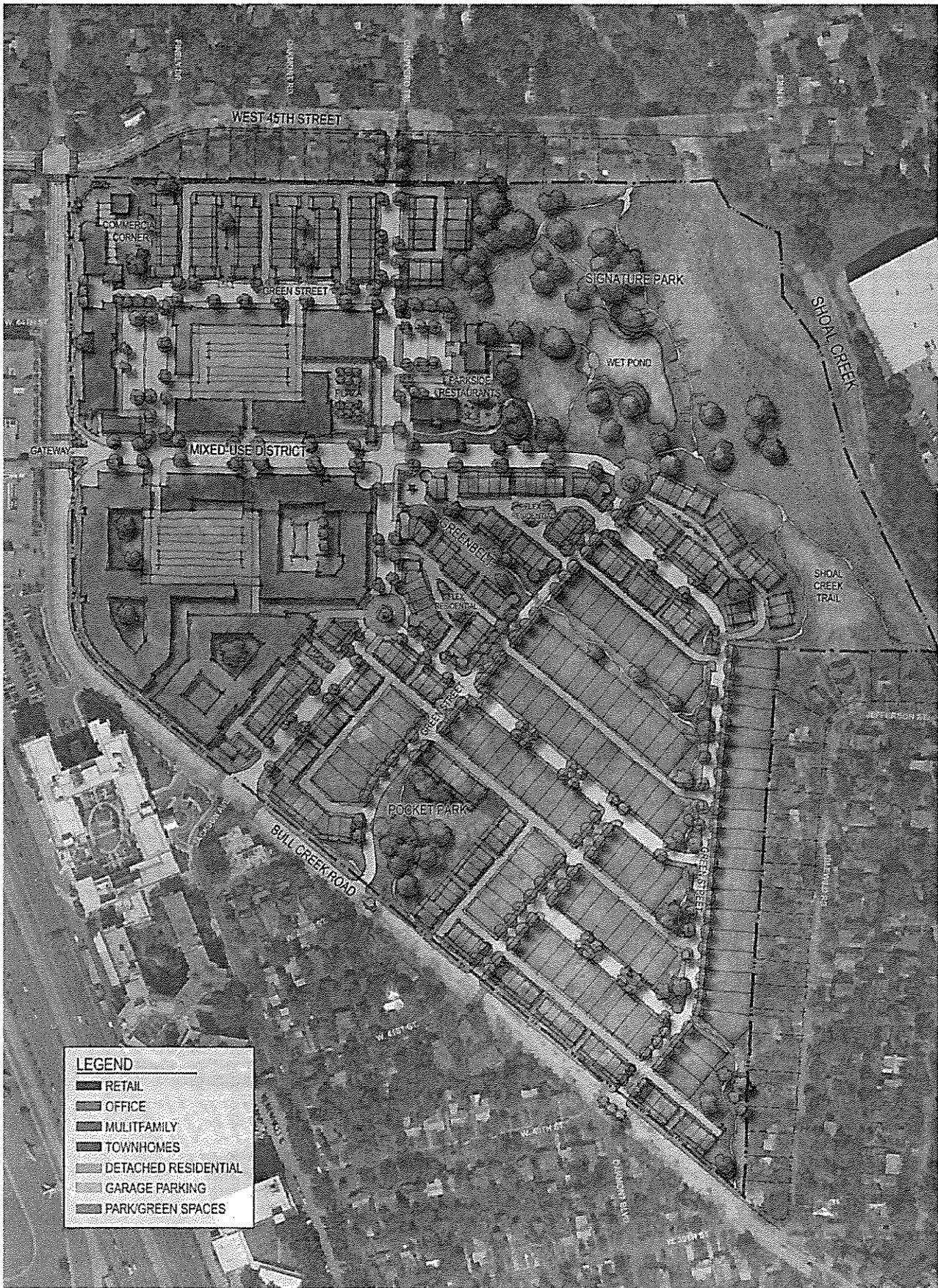
The Grove at Shoal Creek

April 2, 2015

"Exhibit C"



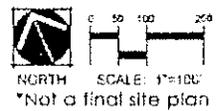
"Exhibit D"



The Grove at Shoal Creek

Austin, Texas

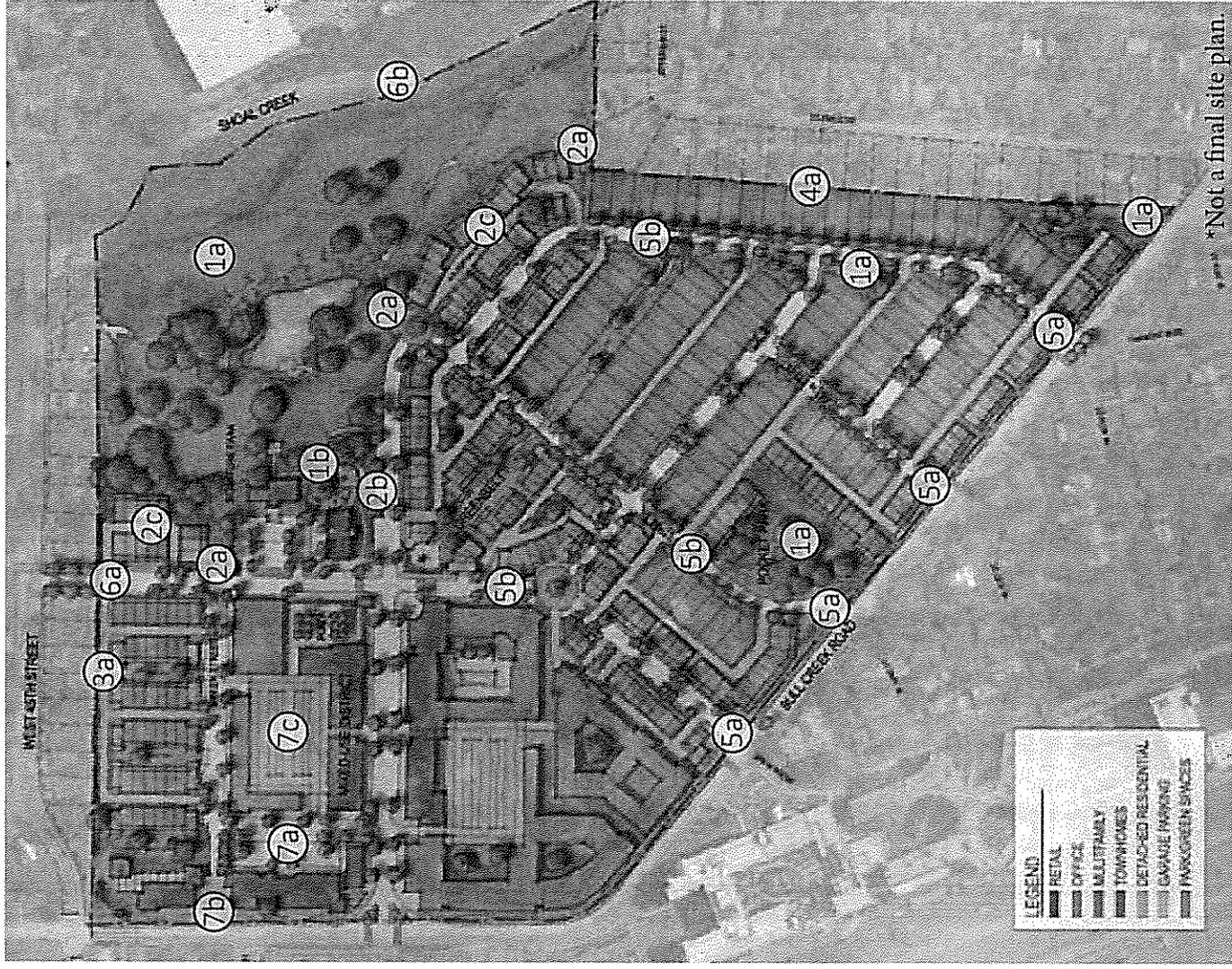
"Exhibit E"



Conceptual Site Plan

Review of Input and Changes:

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





ATTACHMENT: MEMORANDUM

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

Date: March 25, 2016

Project: The Grove At Shoal
Creek

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

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

Re: TIA Comments
(February 2, 2016
Revision)

Page: 1 of 2

The Austin Transportation Department (ATD) has reviewed the February 2, 2016 revision of the traffic report regarding the *"The Grove at Shoal Creek, Traffic Impact Analysis"*, prepared by R-K Traffic Engineering, LLC. The following comments summarize our review findings.

TIA Comments

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



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

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

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

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

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

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

1. The PHB, crosswalks and landings are not shown at Driveway 1. Please show this information.
2. The traffic signal, crosswalks and landings are not shown at Driveway 2/Jackson Avenue. In addition, no information is shown on Jackson Avenue related to length of turn lanes and tapers. Please show this information.
3. The PHB, crosswalks and landings are not shown at Driveway 4. Please show this information.

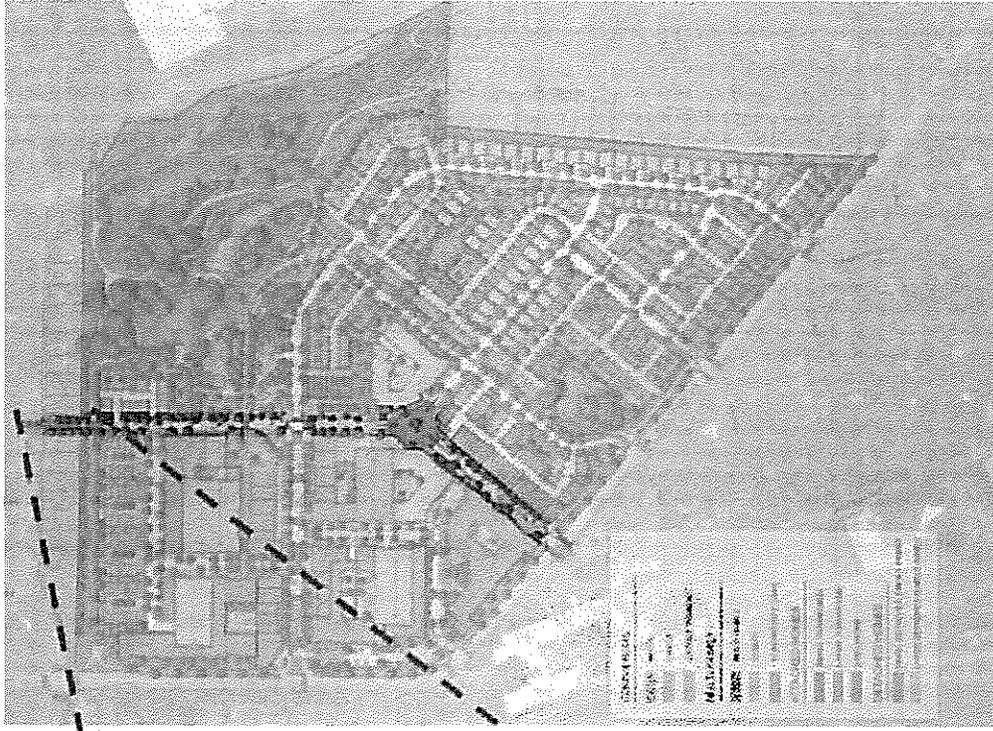
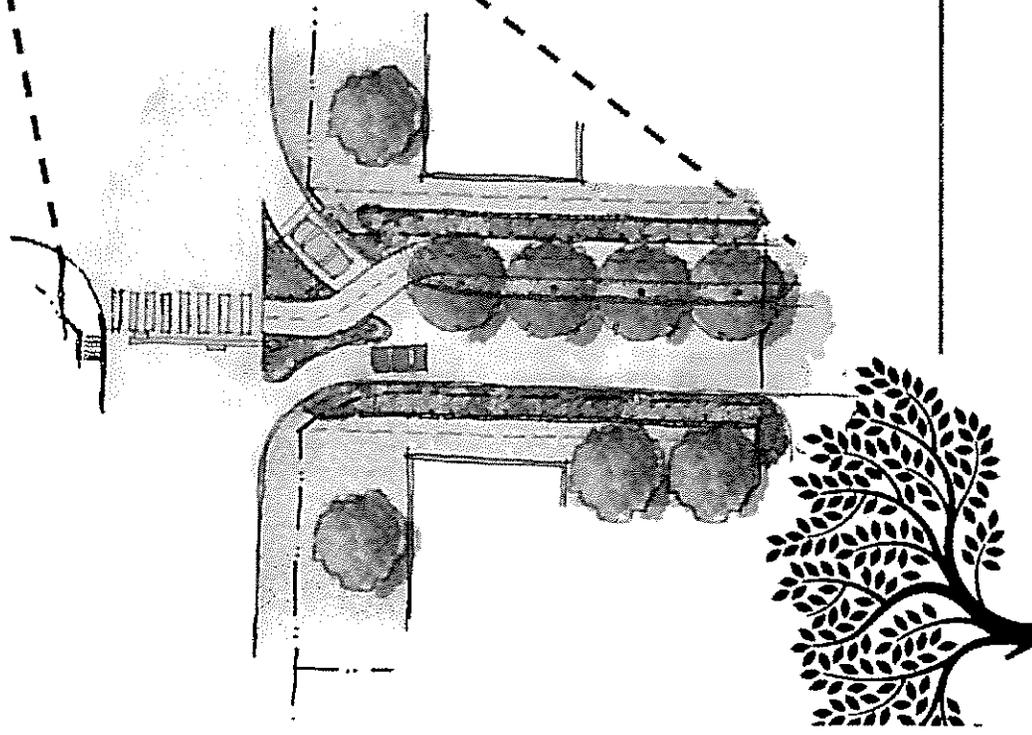
Jackson Avenue / 45th Street

After interdepartmental discussion, the proposed development shall include Jackson Avenue as a public roadway dedicated to the City of Austin. As agreed by the applicant, Lot 43, Section 2, Shoal Village Subdivision, shall be dedicated as public right-of-way to the City of Austin for the extension of Jackson Avenue to 45th Street. Vehicular access at the intersection of 45th and Jackson Avenue shall be limited to "right-in, right-out only." Staff will review roadway design plans submitted by the Applicant as part of the subdivision and site development permit process. A pedestrian hybrid beacon may be installed at the intersection of Jackson Avenue and 45th street to facilitate pedestrian crossings across 45th Street at timing to be determined by ATD.

General Comment

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

Jackson Avenue



THE GROVE
AT SHOAL CREEK

"Exhibit H"

EXHIBIT E

ATTACHMENT 2

Proposed Code Modifications

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

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

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

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

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

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

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

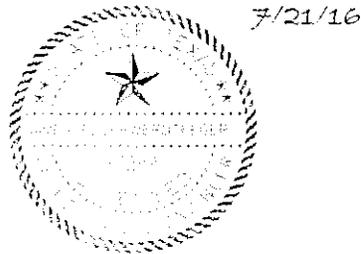
<p>DCM SECTIONS TO BE MODIFIED</p>	<p>CURRENT DCM LANGUAGE</p>	<p>PROPOSED MODIFICATION FOR THE GROVE AT SHOAL CREEK PUD</p>
<p>24. <i>Fencing Requirements for Drainage Facilities, Section 1.2.4.E.1(a)</i></p>	<p>DCM Section 1.2.4.E "1. (a) Where a portion of the stormwater facility either has an interior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

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

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

Prepared for
ARG Bull Creek LTD



James Schwarzbiger

Prepared by:



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

Submittal: July 21, 2016

"Exhibit J"

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Appendices

Appendix A – Synchro Output

EXECUTIVE SUMMARY

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

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

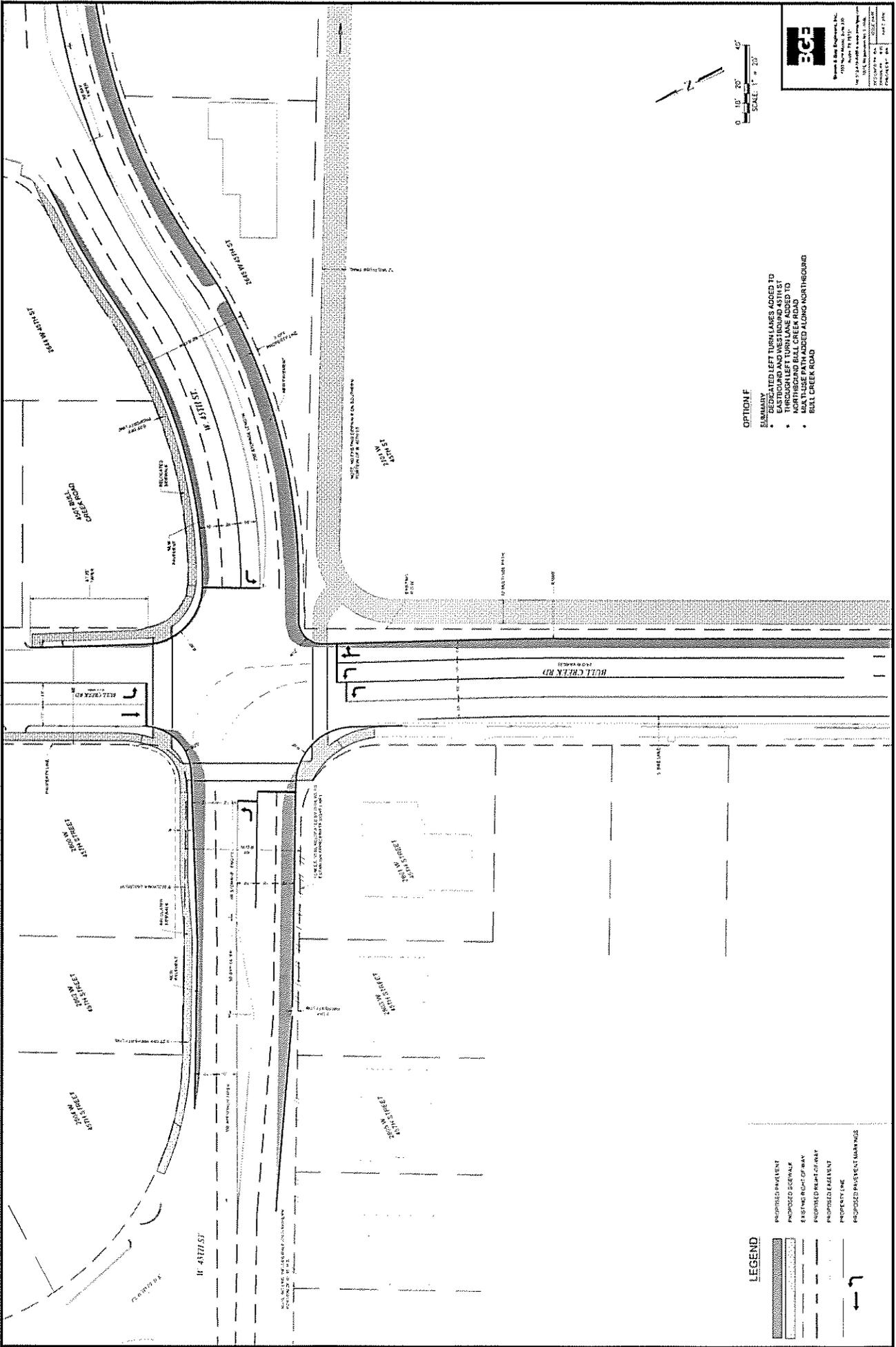
Further analysis was performed that analyzed the northbound approach of Bull Creek Road at 45th Street with three lanes, dual left turn lanes and one shared through/right turn lane. The analysis considers three scenarios, in which, the extension of Jackson Avenue to 45th Street is not constructed, the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

Study Purpose

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

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

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



SCALE: 1" = 20'

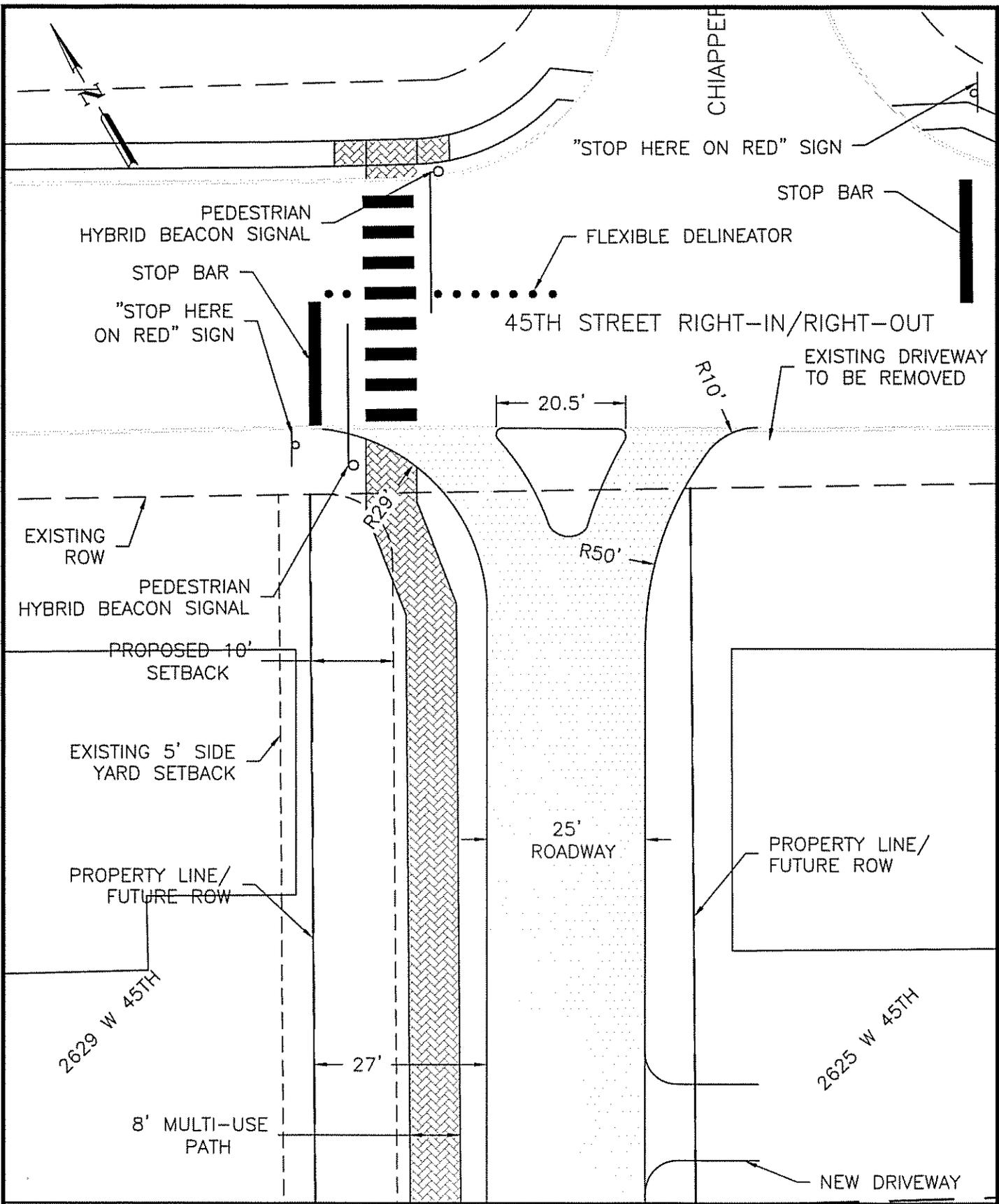
BGE
 Bureau of Engineering, Inc.
 100 North Main, Suite 100
 Fort Worth, Texas 76102
 Tel: 817-339-8888
 Fax: 817-339-8888
 Project No. 2022-0001
 Date: 08/15/2022

- OPTION F**
- SUMMARY**
- RELOCATED LEFT TURN LANES ADDED TO EASTBOUND AND WESTBOUND 43TH ST
 - THROUGH LEFT TURN LANE ADDED TO WESTBOUND 43TH ST
 - NEW SIDEWALK ADDED TO EAST AND WEST BOUND 43TH ST
 - NEW TURN LANE ADDED ALONG NORTHBOUND BULL CREEK ROAD

LEGEND

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

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



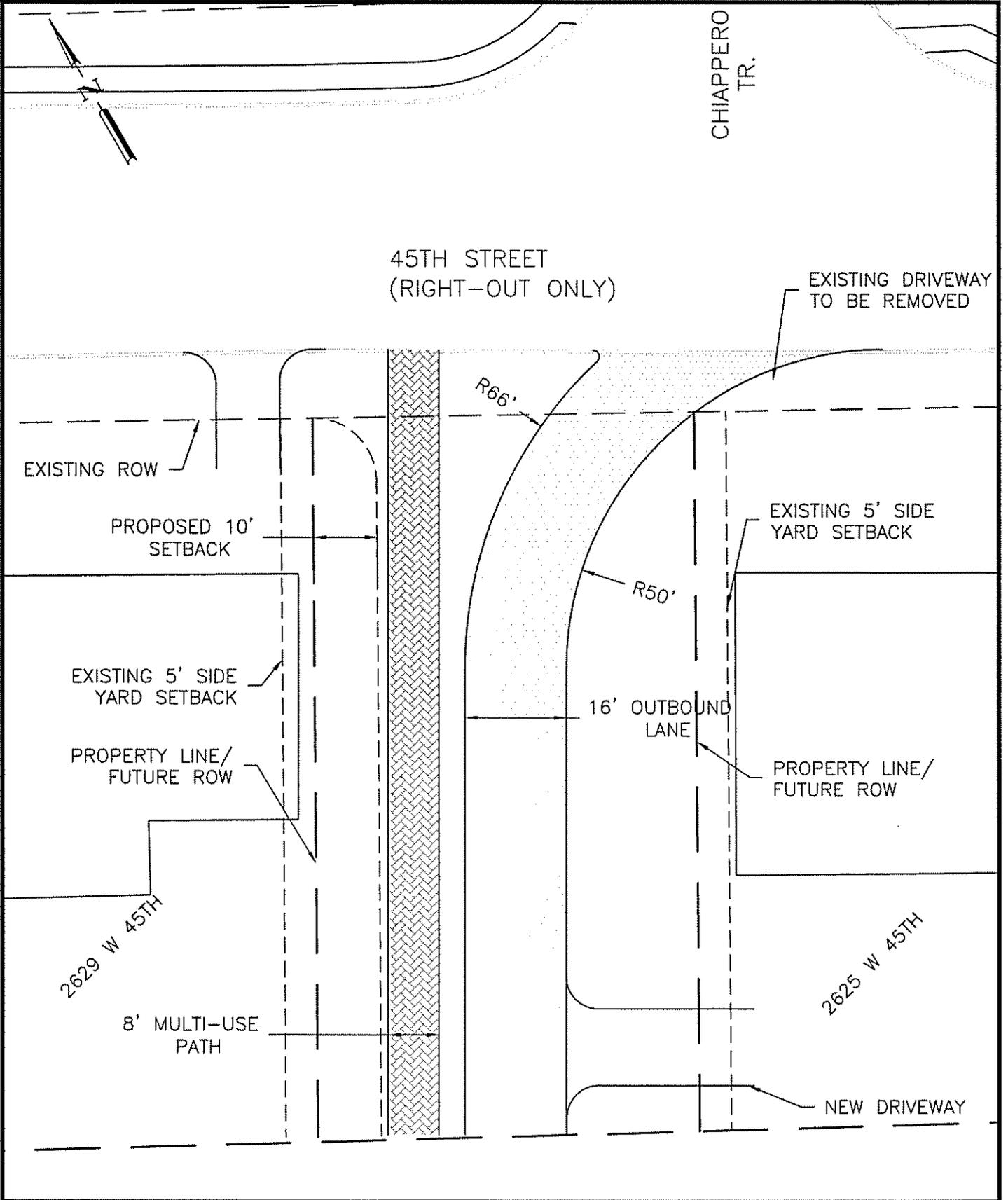
CONCEPTUAL DRIVEWAY WITH
 AUTO TURN PLAN

THE GROVE
 JACKSON STREET & 45th STREET

BROWN & GAY ENGINEERS, INC.
 7009 NORTH MOPAC, SUITE 330 AUSTIN,
 TX 78731 TBPE Registration No. F-1046
 TEL. 512-879-6488 www.browngay.com



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CONCEPTUAL DRIVEWAY PLAN

THE GROVE
JACKSON STREET & 45th STREET

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



Assumptions/Distribution

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

No Jackson Avenue extension connecting to 45th Street

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

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

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

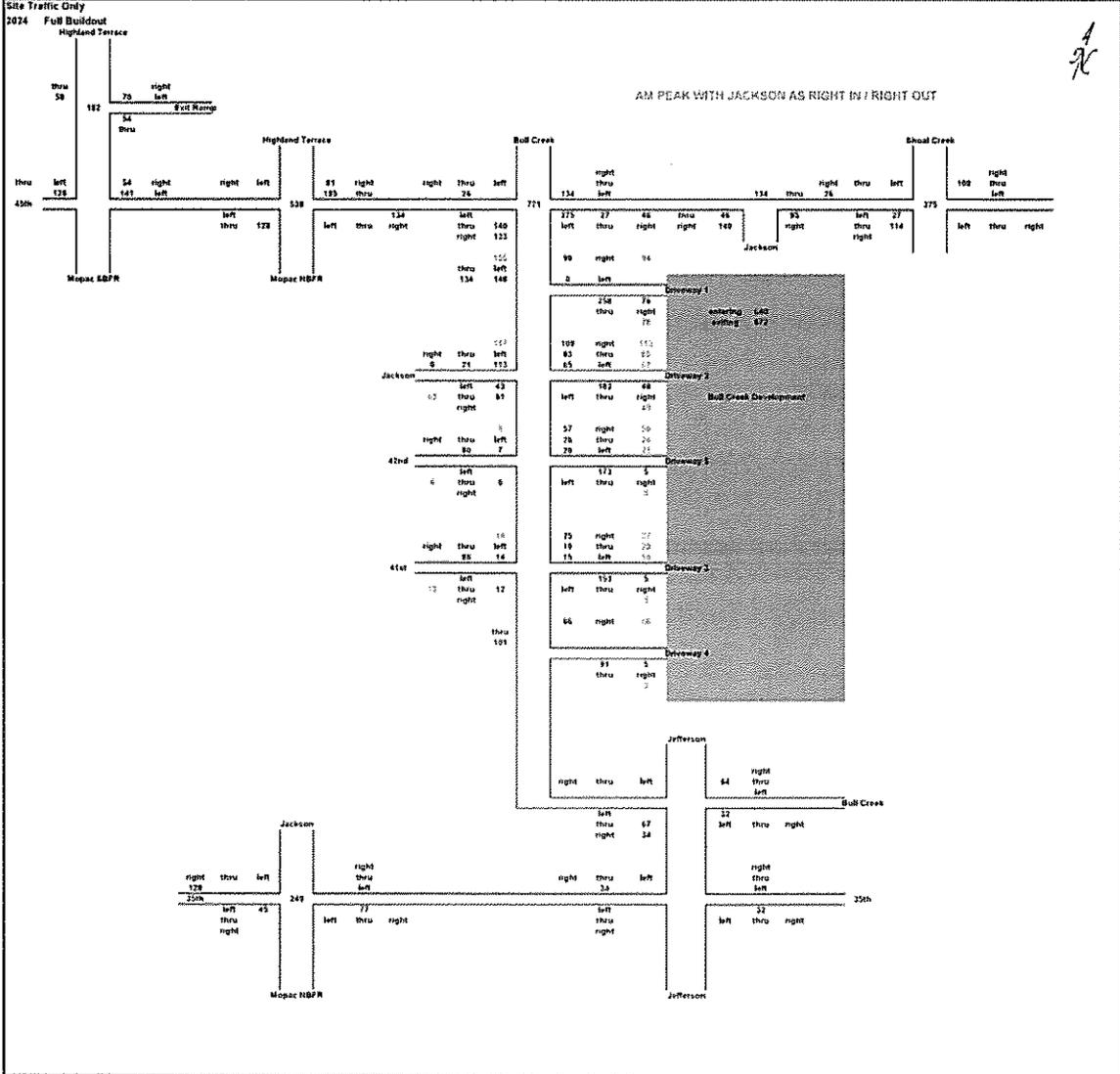
Jackson Avenue extension with 45th Street assumed to be Right-out only

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

DISTRIBUTION
RIGHT-IN/RIGHT-OUT

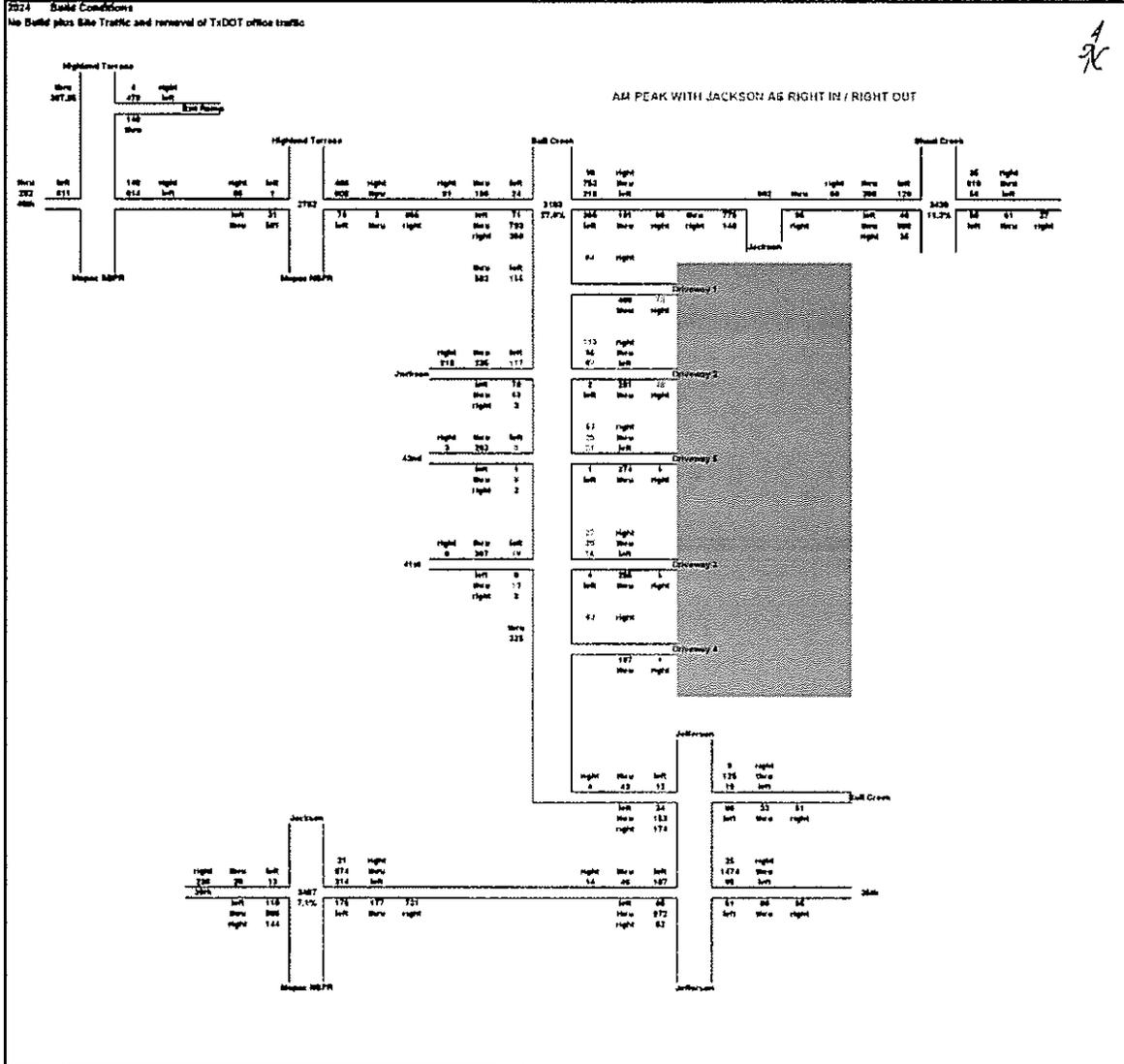
**Bull Creek Development
DISTRIBUTION SPREADSHEET**

AM Peak 7:30 - 8:30 AM



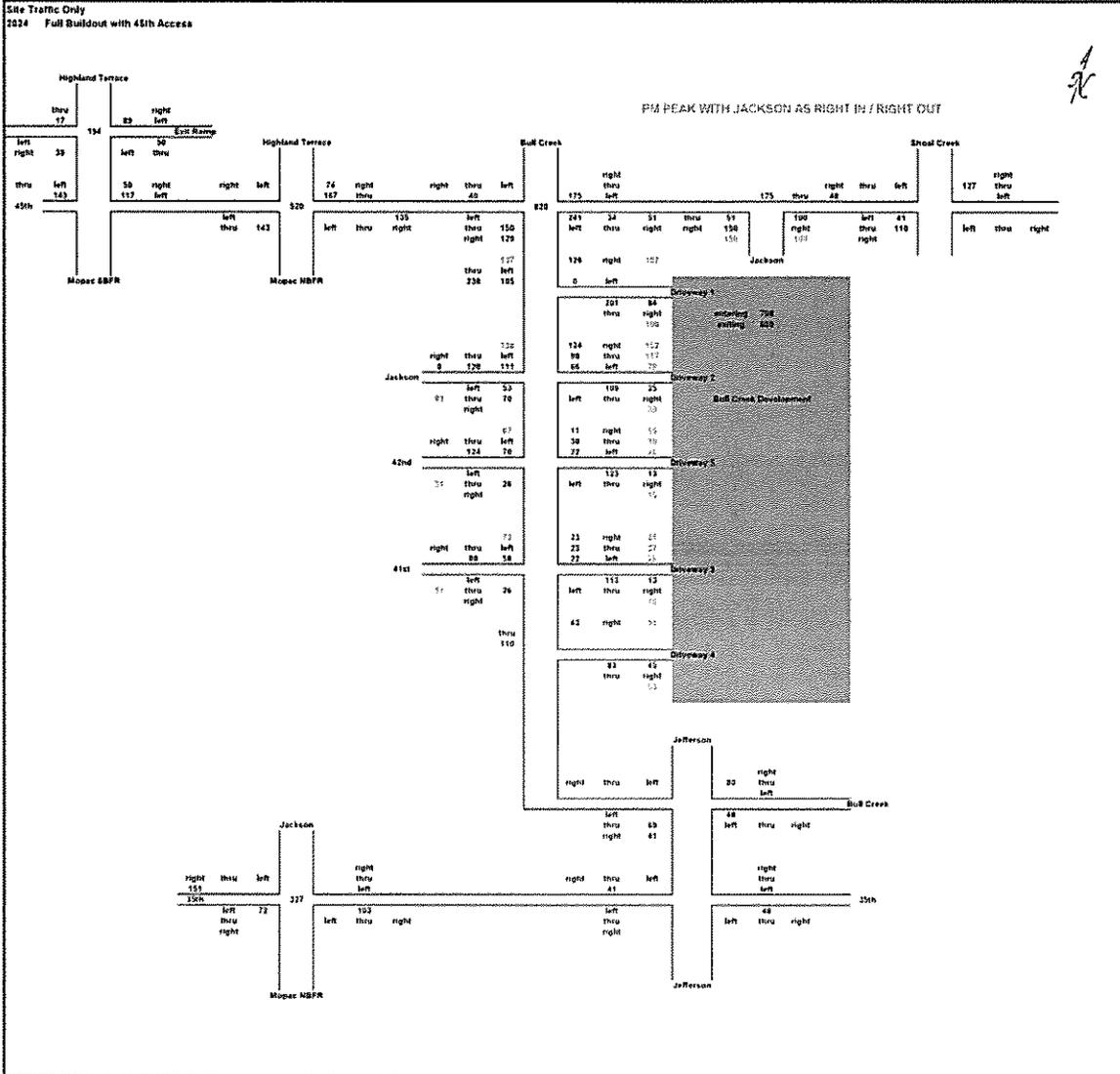
**Bull Creek Development
DISTRIBUTION SPREADSHEET**

AM Peak 7:30 - 8:30 AM



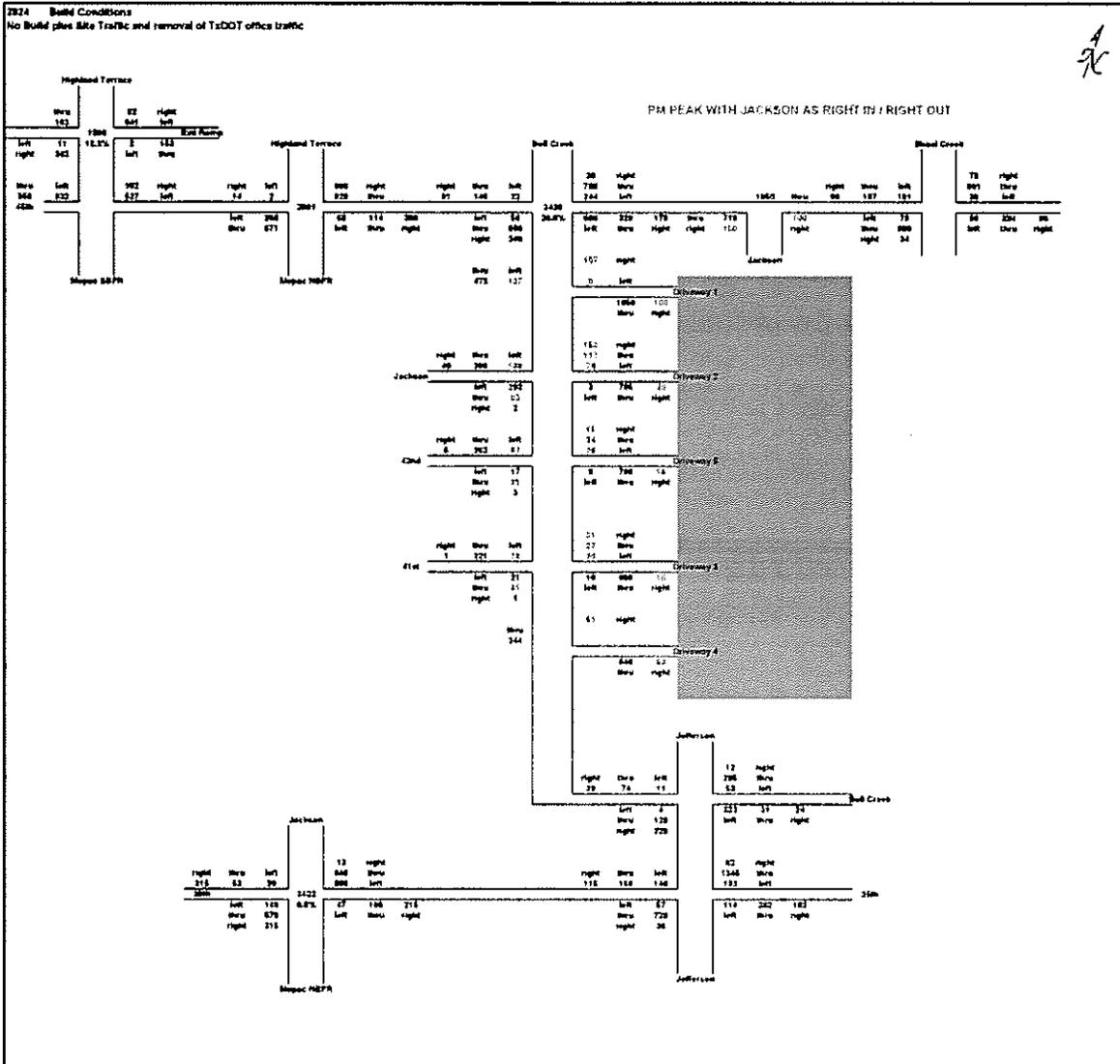
Grove at Shoal Creek
DISTRIBUTION SPREADSHEET

PM Peak 4:30 - 5:30 PM



Grove at Shoal Creek
DISTRIBUTION SPREADSHEET

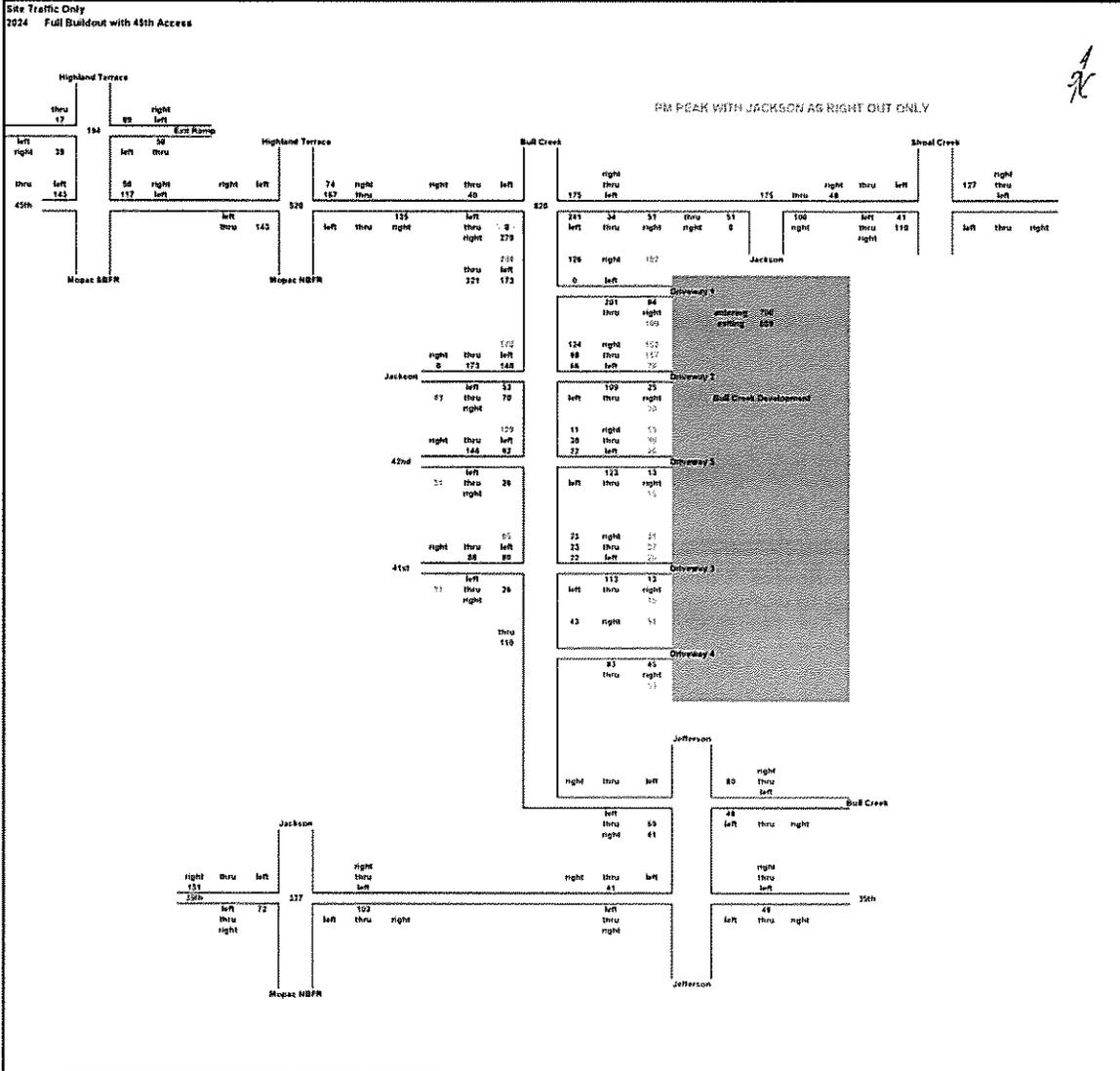
PM Peak 4:30 - 6:30 PM



DISTRIBUTION
RIGHT-OUT ONLY

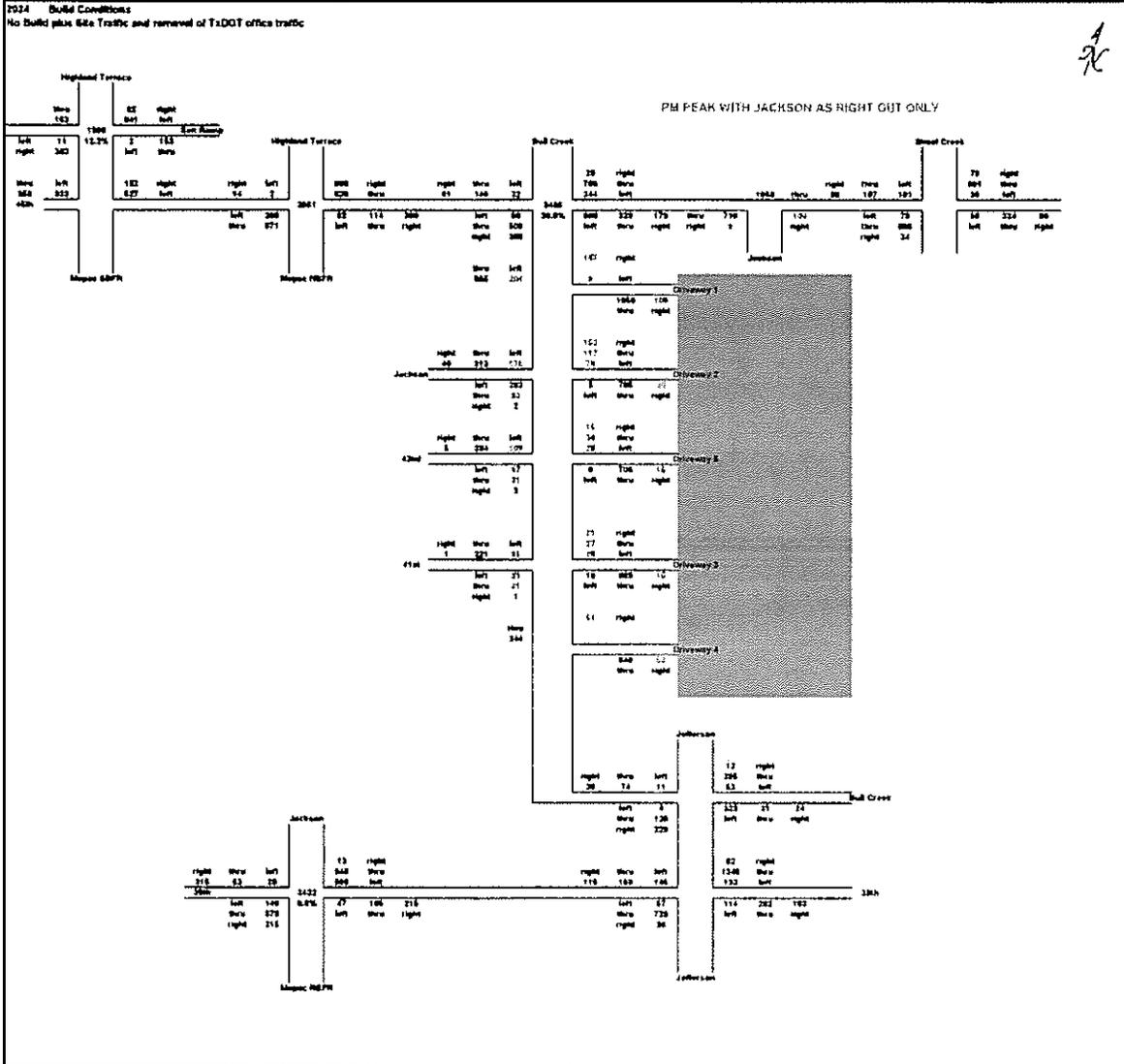
Grove at Shoal Creek
DISTRIBUTION SPREADSHEET

PM Peak 4:30 - 5:30 PM



Grove at Shoal Creek
DISTRIBUTION SPREADSHEET

PM Peak 4:30 - 5:30 PM



Analysis and Results

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

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

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

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

Intersection	Traffic Control Type	2024 BUILD CONDITIONS											
		AM Peak Hour ²						PM Peak Hour ²					
		MOE ¹	LOS	50th Queue	95th Queue ³	Bay Length	V/C	MOE ¹	LOS	50th Queue	95th Queue ³	Bay Length	V/C
MoPac SBFR at 45th	Signal	32.6	C					16.0	B				
Westbound left		58	E	695	893	315	0.98	15.9	B	120	95	315	0.64
Southbound left		21.4	C	297	244	N/A	0.49	25.2	C	248	336	N/A	0.67
Southbound right		9.3	A	0	0	N/A	0.2	9.3	A	0	0	N/A	0.23
MoPac NBFR at 45th	Signal	20.6	C					37.3	D				
Eastbound left		6.3	A	2	3	340	0.08	21.5	C	47	51	340	0.59
Eastbound through		13.1	B	22	19	340	0.76	23.0	C	64	62	340	0.76
Westbound		23.4	C	358	652	N/A	0.88	46.7	D	369	784	N/A	1.08
Northbound left/through		45.6	D	57	196	900	0.27	78.8	E	143	265	900	0.82
Northbound right		20.9	C	45	282	550	0.87	12.9	B	0	90	550	0.68
Southbound left		48.0	D	1	6	N/A	0.01	54.5	D	2	11	N/A	0.03
Southbound right		9.7	A	0	36	N/A	0.34	0.5	A	0	0	N/A	0.06
Bull Creek at 45th	Signal	47.5	D					46.0	D				
Eastbound left		8.2	A	13	17	190	0.27	13.7	B	31	19	190	0.24
Eastbound through/right		35.7	D	483	628	480	0.99	23.7	C	334	449	480	0.92
Westbound left		65.8	E	135	289	250	0.90	42.2	D	135	261	250	0.74
Westbound through/right		27.9	C	254	320	N/A	0.59	29.2	C	255	332	N/A	0.60
Northbound dual lefts		92.1	F	170	254	400	0.86	57.9	E	275	379	400	0.89
Northbound through/right		34.3	C	184	268	N/A	0.62	38.6	C	531	751	N/A	1.02
Southbound left		43.4	D	17	41	130	0.11	48.2	D	15	41	130	0.18
Southbound through/right		94.2	F	237	427	N/A	0.99	86.0	F	147	288	N/A	0.90
Bull Creek at Jackson/Driveway 2	Signal	16.3	B					38.0	D				
Eastbound left		17.2	B	19	33	190	0.19	33.8	D	158	278	190	0.86
Eastbound through/right		26.4	C	23	68	N/A	0.19	36.4	D	47	93	N/A	0.27
Westbound left		17.2	B	18	54	190	0.19	29.9	C	37	74	190	0.36
Westbound through		30.1	C	31	85	190	0.32	82.6	F	73	176	190	0.84
Westbound right		9.5	A	0	49	190	0.40	13.7	B	0	55	190	0.60
Northbound left		9.5	A	0	4	150	0.00	7.3	A	1	4	150	0.01
Northbound through		21.2	C	110	269	N/A	0.42	46.1	D	498	657	N/A	0.95
Northbound right		0.2	A	0	0	150	0.07	0.1	A	0	0	150	0.04
Southbound left		10.7	B	32	71	300	0.29	28.4	D	51	129	300	0.78
Southbound through/right		14.4	B	120	316	N/A	0.53	11.2	B	94	186	N/A	0.36
Bull Creek at Driveway 1	Two-Way Stop	1.5	A					1.6	A				
Westbound right	Stop	0.0	A	N/A	0.0	210	0.000	0.0	A	N/A	0.0	210	0.000
Southbound lefts	Free	9.6	A	N/A	0.9	N/A	0.234	15.1	C	N/A	1.8	N/A	0.385
Bull Creek at Driveway 3/41st	Two-Way Stop	2.4	A					6.3	A				
Eastbound	Stop	15.2	C	N/A	0.1	N/A	0.047	53.1	F	N/A	2.0	N/A	0.143
Westbound left/through	Stop	17.6	C	N/A	0.4	90	0.121	51.9	F	N/A	1.9	90	0.436
Westbound right	Stop	10.1	B	N/A	0.2	90	0.066	15.0	C	N/A	0.5	90	0.133
Northbound lefts	Free	8.0	A	N/A	0.0	N/A	0.084	7.7	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.1	N/A	0.037	9.7	A	N/A	0.4	N/A	0.120
Bull Creek at Driveway 5/42nd	Two-Way Stop	2.4	A					9.1	A				
Eastbound	Stop	14.9	B	N/A	0.1	N/A	0.026	27.4	F	N/A	2.5	N/A	0.349
Westbound left/through	Stop	17.7	C	N/A	0.5	190	0.153	99.2	F	N/A	3.5	190	0.688
Westbound right	Stop	10.6	B	N/A	0.3	190	0.103	15.1	C	N/A	0.2	190	0.071
Northbound lefts	Free	8.0	A	N/A	0.0	N/A	0.061	7.9	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	8.0	A	N/A	0.1	N/A	0.019	10.2	B	N/A	0.5	N/A	0.145

1 MOE = seconds delay per vehicle
 2 7:30 AM - 8:30 AM
 3 4:30 PM - 5:30 PM
 4 95th Queue for signalized intersection measured at left and for unsignalized intersection measured in vehicles

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

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

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

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

Intersection	Traffic Control Type	2024 BUILD CONDITIONS											
		AM Peak Hour ³						PM Peak Hour ³					
		MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C	MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C
McPac SBFR at 45th	Signal	32.6	C					16.0	B				
Westbound left		58	E	695	895	315	0.98	15.9	B	120	95	315	0.64
Southbound left		21.4	C	207	244	N/A	0.49	25.2	C	248	336	N/A	0.67
Southbound right		0.3	A	0	0	N/A	0.2	0.3	A	0	0	N/A	0.23
McPac NBFR at 45th	Signal	21.2	C					37.3	D				
Eastbound left		6.3	A	2	3	340	0.08	21.5	C	47	53	340	0.59
Eastbound through		13.3	B	22	19	340	0.76	23.0	C	64	62	340	0.76
Westbound		23.4	C	358	652	N/A	0.88	46.7	D	369	784	N/A	1.08
Northbound left/through		45.6	D	57	106	900	0.27	78.8	E	143	255	900	0.82
Northbound right		23.1	C	45	282	550	0.87	12.9	B	0	90	550	0.68
Southbound left		48.0	D	1	6	N/A	0.01	54.5	D	2	11	N/A	0.03
Southbound right		9.7	A	0	36	N/A	0.34	0.5	A	0	0	N/A	0.06
Bull Creek at 45th	Signal	53.3	D					44.6	D				
Eastbound left		8.2	A	13	17	100	0.27	13.7	B	11	19	100	0.24
Eastbound through/right		50.0	D	570	681	480	1.03	38.9	D	383	512	480	0.97
Westbound left		65.8	E	135	289	250	0.90	42.2	D	135	251	250	0.74
Westbound through/right		27.9	C	254	329	N/A	0.59	29.2	C	255	322	N/A	0.60
Northbound dual lefts		92.1	F	170	254	400	0.86	57.9	E	275	379	400	0.89
Northbound through/right		36.9	D	134	206	N/A	0.49	48.4	D	365	578	N/A	0.85
Southbound left		42.7	D	17	44	130	0.09	50.6	D	15	41	130	0.16
Southbound through/right		94.2	F	237	427	N/A	0.99	86.0	F	147	288	N/A	0.91
Bull Creek at Jackson/Driveway 2	Signal	15.1	B					34.7	C				
Eastbound left		17.2	B	18	55	100	0.2	51.7	D	158	278	100	0.85
Eastbound through/right		27.0	C	22	68	N/A	0.23	36.2	D	47	93	N/A	0.26
Westbound left		17.2	B	17	54	100	0.19	29.7	C	37	74	100	0.35
Westbound through		28.6	C	30	85	100	0.30	82.6	F	73	176	100	0.84
Westbound right		6.9	A	0	35	100	0.32	9.0	A	0	35	100	0.52
Northbound left		9.5	A	0	4	150	0.00	7.3	A	1	4	150	0.01
Northbound through		19.7	B	95	188	N/A	0.38	39.7	D	380	615	N/A	0.91
Northbound right		0.2	A	0	0	150	0.07	0.1	A	0	0	150	0.04
Southbound left		9.6	A	24	58	300	0.21	24.9	C	33	92	300	0.63
Southbound through/right		12.5	B	100	274	N/A	0.47	10.7	B	79	189	N/A	0.32
Bull Creek at Driveway 1	Two-Way Stop	1.1	A					1.0	A				
Westbound right	Stop	0.0	A	N/A	0.0	210	0.000	0.0	A	N/A	0.0	210	0.000
Southbound lefts	Free	9.0	A	N/A	0.6	N/A	0.157	12.9	B	N/A	1.0	N/A	0.246
Bull Creek at Driveway 3/41st	Two-Way Stop	1.9	A					5.2	A				
Eastbound	Stop	14.2	B	N/A	0.1	N/A	0.043	42.8	E	N/A	1.6	N/A	0.382
Westbound left/through	Stop	16.1	C	N/A	0.4	90	0.168	44.0	E	N/A	1.7	90	0.389
Westbound right	Stop	19.0	B	N/A	0.1	90	0.039	14.4	B	N/A	0.3	90	0.081
Northbound lefts	Free	8.0	A	N/A	0.0	N/A	0.004	7.7	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.0	N/A	0.014	9.6	A	N/A	0.3	N/A	0.092
Bull Creek at Driveway 5/42nd	Two-Way Stop	2.2	A					6.7	A				
Eastbound	Stop	13.8	B	N/A	0.1	N/A	0.025	34.3	F	N/A	1.9	N/A	0.440
Westbound left/through	Stop	15.9	C	N/A	0.5	100	0.134	67.0	F	N/A	2.7	100	0.557
Westbound right	Stop	10.4	B	N/A	0.3	100	0.087	14.5	B	N/A	0.1	100	0.041
Northbound lefts	Free	7.9	A	N/A	0.0	N/A	0.001	7.9	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.0	N/A	0.007	9.9	A	N/A	0.4	N/A	0.114
45th Street and Jackson Street	Two-Way Stop	0.7	A					0.7	A				
Northbound right	Stop	13.7	B	N/A	0.7	N/A	0.159	13.3	B	N/A	0.7	N/A	0.201

1 MOE is seconds delay per vehicle
2 7:30 AM - 8:30 AM
3 4:30 PM - 5:30 PM
4 95th Queue for signalized intersection measured in feet and for non-signalized intersection measured in vehicles

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

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

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

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

Intersection	Traffic Control Type	2024 BUILD CONDITIONS											
		AM Peak Hour ²						PM Peak Hour ³					
		MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C	MOE ¹	LOS	50th Queue	95th Queue ⁴	Bay Length	V/C
MoPac SBFR at 45th	Signal	32.6	C					16.0	B				
Westbound left		58	E	695	893	315	0.98	15.9	B	120	95	315	0.64
Southbound left		21.4	C	207	244	N/A	0.49	25.2	C	248	336	N/A	0.67
Southbound right		0.3	A	0	0	N/A	0.2	0.3	A	0	0	N/A	0.23
MoPac NBFR at 45th	Signal	28.6	C					37.3	D				
Eastbound left		6.3	A	2	3	340	0.08	21.5	C	47	53	340	0.59
Eastbound through		13.1	B	22	19	340	0.76	23.0	C	64	62	340	0.76
Westbound		23.4	C	358	652	N/A	0.88	46.7	D	369	784	N/A	1.08
Northbound left/through		45.6	D	57	106	900	0.27	78.8	E	143	265	900	0.82
Northbound right		20.9	C	45	282	550	0.87	12.9	B	0	90	550	0.68
Southbound left		45.0	D	1	6	N/A	0.01	54.5	D	2	11	N/A	0.03
Southbound right		9.7	A	0	36	N/A	0.34	0.5	A	0	0	N/A	0.06
Bull Creek at 45th	Signal	48.1	D					40.6	D				
Eastbound left		8.2	A	13	17	100	0.27	13.7	B	11	19	100	0.24
Eastbound through/right		35.7	D	483	628	480	0.99	23.7	C	334	449	480	0.92
Westbound left		65.8	E	135	289	250	0.90	42.2	D	135	251	250	0.74
Westbound through/right		27.9	C	254	320	N/A	0.59	29.3	C	255	322	N/A	0.60
Northbound dual lefts		92.1	F	170	254	480	0.86	57.9	E	275	379	480	0.89
Northbound through/right		36.9	D	134	206	N/A	0.49	48.4	D	365	578	N/A	0.85
Southbound left		42.7	D	17	44	130	0.09	50.6	D	15	41	130	0.16
Southbound through/right		94.2	F	237	427	N/A	0.99	86.0	F	147	288	N/A	0.90
Bull Creek at Jackson/Driveway 2	Signal	15.3	B					35.7	D				
Eastbound left		17.3	B	18	55	100	0.20	51.8	D	158	278	100	0.85
Eastbound through/right		27.1	C	22	68	N/A	0.23	36.2	D	47	93	N/A	0.26
Westbound left		17.3	B	17	54	100	0.20	29.7	C	37	74	100	0.35
Westbound through		28.8	C	30	85	100	0.30	82.6	F	73	176	100	0.84
Westbound right		7.0	A	0	35	100	0.33	9.0	A	0	35	100	0.52
Northbound left		9.5	A	0	4	150	0.00	7.3	A	1	4	150	0.01
Northbound through		19.8	B	98	188	N/A	0.58	40.8	D	380	615	N/A	0.92
Northbound right		0.2	A	0	0	150	0.07	0.1	A	0	0	150	0.04
Southbound left		9.9	A	31	69	300	0.27	39.1	D	51	159	300	0.79
Southbound through/right		13.5	B	119	287	N/A	0.51	11.3	B	94	186	N/A	0.36
Bull Creek at Driveway 1	Two-Way Stop	1.4	A					1.5	A				
Westbound right	Stop	0.0	A	N/A	0.0	210	0.000	0.0	A	N/A	0.0	210	0.000
Southbound lefts	Free	9.3	A	N/A	0.8	N/A	0.220	14.4	B	N/A	1.7	N/A	0.367
Bull Creek at Driveway 3/41st	Two-Way Stop	2.2	A					6.0	A				
Eastbound	Stop	15.2	C	N/A	0.1	N/A	0.047	50.7	F	N/A	1.9	N/A	0.430
Westbound left/through	Stop	17.6	C	N/A	0.4	90	0.121	51.9	F	N/A	1.9	90	0.456
Westbound right	Stop	10.0	B	N/A	0.1	90	0.039	14.4	B	N/A	0.3	90	0.081
Northbound lefts	Free	7.9	A	N/A	0.0	N/A	0.004	7.4	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	7.9	A	N/A	0.1	N/A	0.037	9.7	A	N/A	0.4	N/A	0.120
Bull Creek at Driveway 5/42nd	Two-Way Stop	2.3	A					8.3	A				
Eastbound	Stop	14.6	B	N/A	0.1	N/A	0.025	70.2	F	N/A	2.4	N/A	0.518
Westbound left/through	Stop	17.3	C	N/A	0.5	190	0.149	88.3	F	N/A	3.2	190	0.648
Westbound right	Stop	10.4	B	N/A	0.3	190	0.087	14.5	B	N/A	0.1	190	0.041
Northbound lefts	Free	7.9	A	N/A	0.0	N/A	0.001	7.9	A	N/A	0.0	N/A	0.008
Southbound lefts	Free	8.0	A	N/A	0.1	N/A	0.019	10.0	B	N/A	0.5	N/A	0.142
45th Street and Jackson Street	Two-Way Stop	0.6	A					0.7	A				
Northbound right	Stop	12.5	B	N/A	0.6	N/A	0.178	12.1	B	N/A	0.6	N/A	0.178

1 MOE is seconds delay per vehicle
2 7:30 AM - 8:30 AM
3 4:30 PM - 5:30 PM
4 95th Queue for signalized intersection measured in feet and for non-signalized intersection measured in vehicles

Conclusions

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

2.5 Planned Unit Development Land Use Plan

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

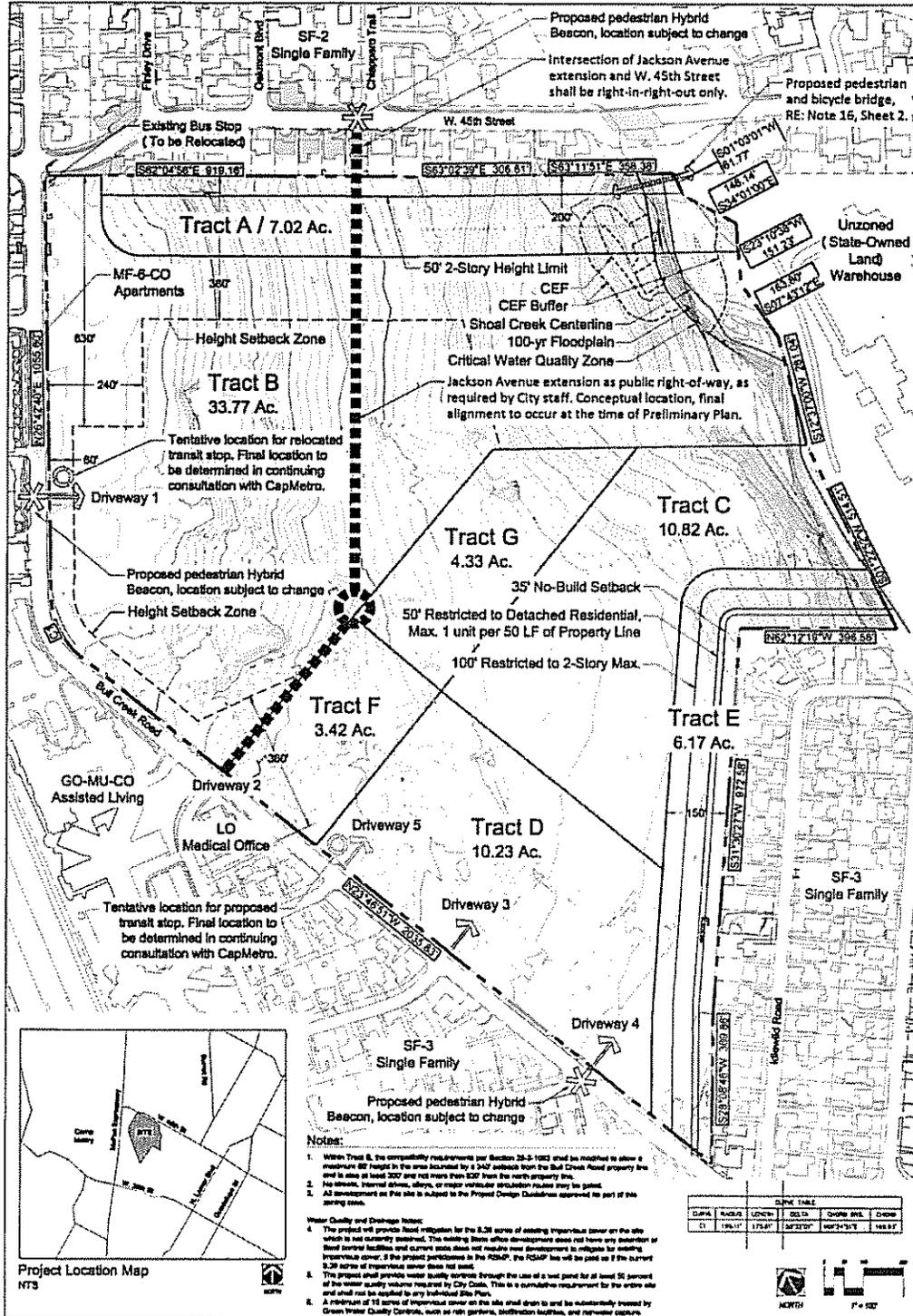


Figure 2.5: Planned Unit Development Land Use Plan

The Grove at Shoal Creek

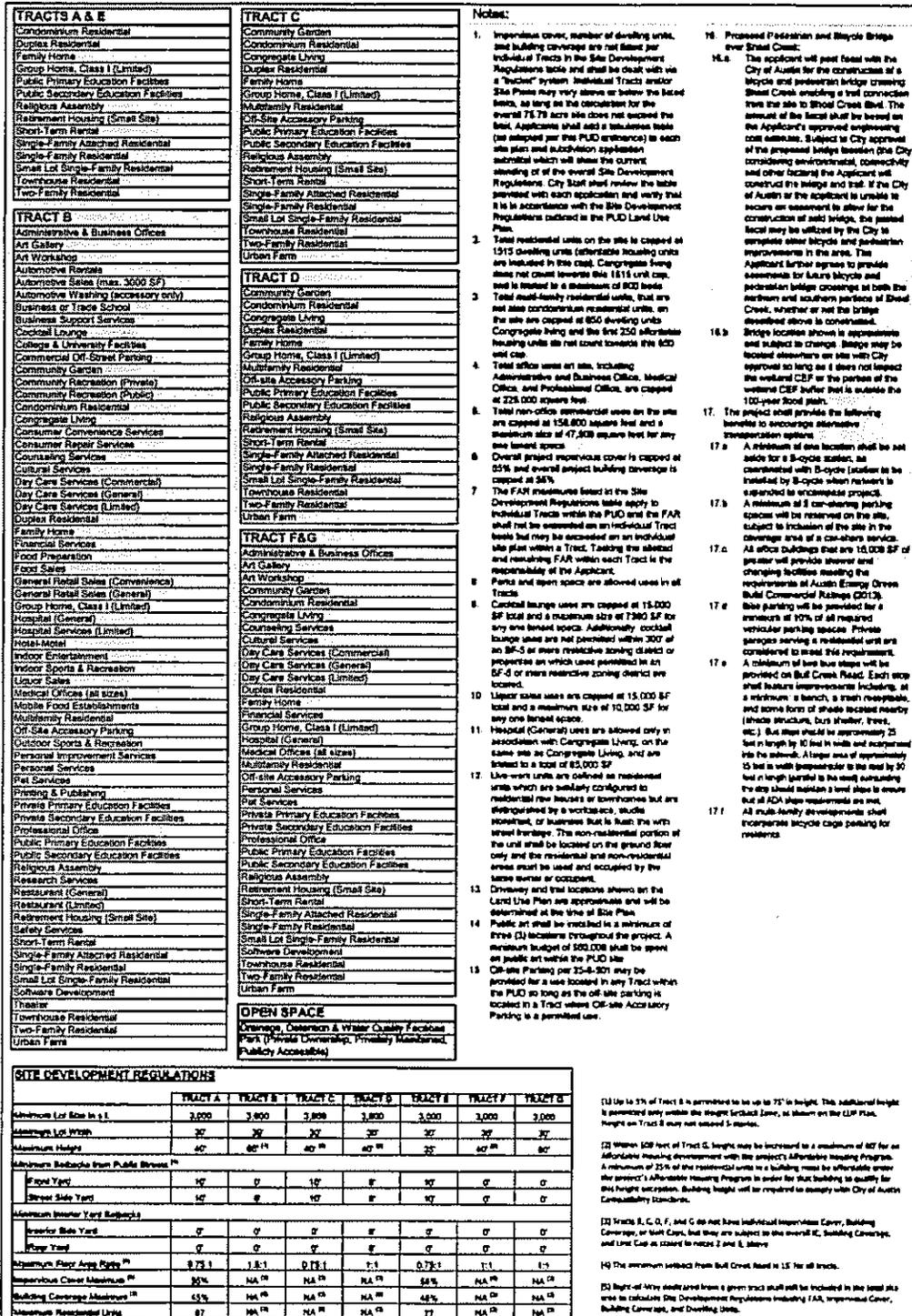


Figure 2.5.1: PUD Regulation

3.3 Master Framework Plan

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

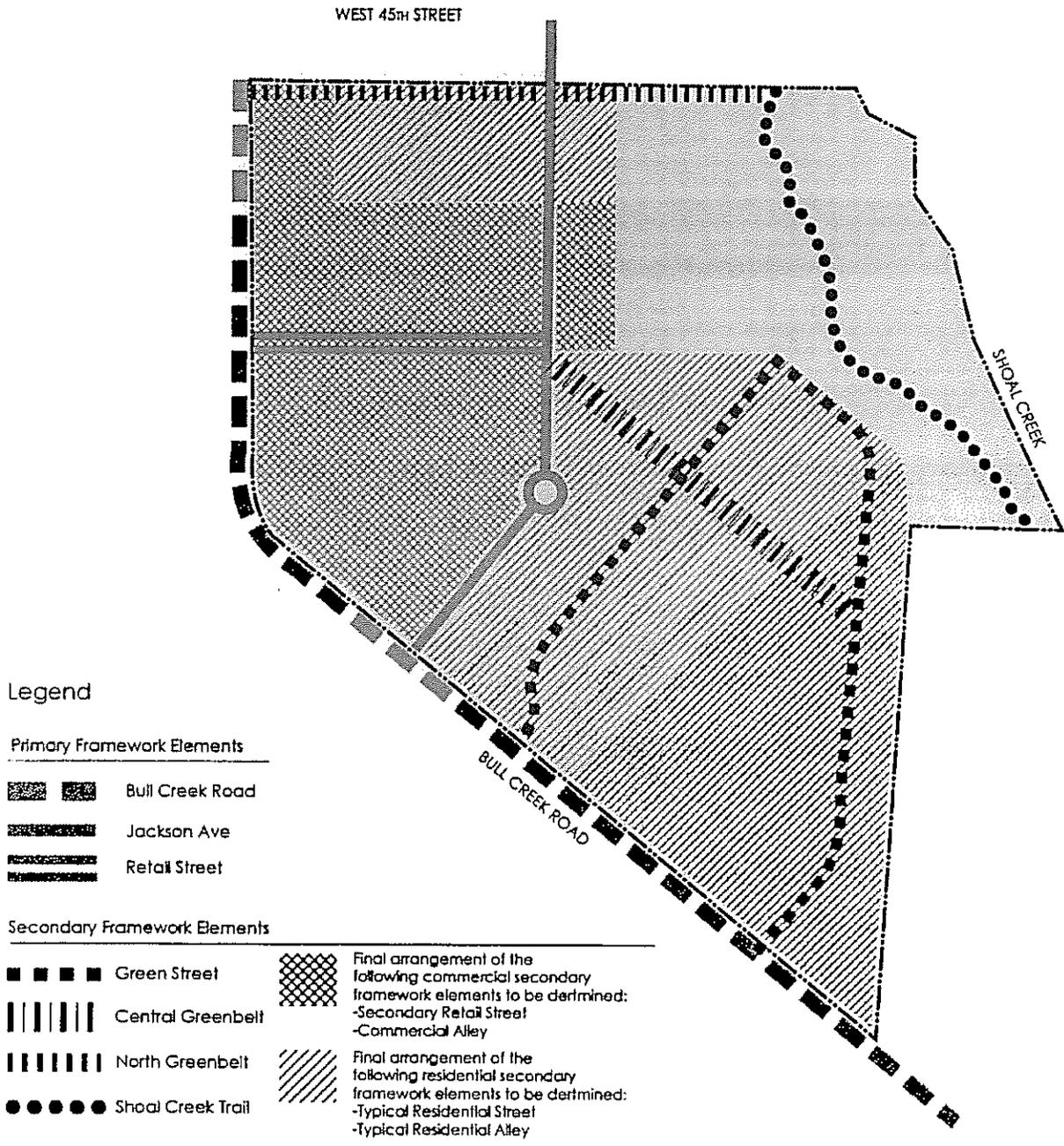


Figure 3.3: Master Framework Plan