

## MASTER REVIEW REPORT [RESPONSE]

**CASE NUMBER:** C814-2014-0120

**CASE MANAGER:** Victoria Haase

**PHONE #:** 512-974-7691

**REVISION #:** 00

**UPDATE:** 3

**PROJECT NAME:** Austin Oaks Planned Unit Development

**LOCATION:** Southwest Corner of Mo-Pac and Spicewood Springs Road (3409, 3420, 3429, 3445, 3520, 3636, 3701, 3721, 3724, and 3737 Executive Center Drive and 7601, 7718 and 7719 Wood Hollow Drive)

**SUBMITTAL DATE:** April 21, 2016

**REPORT DUE DATE:** May 17, 2016

**FINAL REPORT DATE:** July 1, 2016

**REPORT LATE:** 45 days

### **IMPORTANT INFORMATION:**

- This report includes staff review comments received **to date** concerning your application. The PUD application will be forwarded for Environmental Board and Zoning and Platting Commission recommendations, and City Council action. At this time, staff has not made a recommendation regarding the entirety of the application; as such, the PUD application is considered not recommended for approval.
- Please note, if you have any questions/concerns about review comments, or you require additional information about items in this report, please contact the listed individual reviewer or case manager.
- The attached report identifies those requirements that must be addressed by an update to your PUD application in order to obtain a positive recommendation for approval. This report may also contain recommendations for you to consider, but are not required.
- Please note, additional requirements, recommendations, or comments may be generated as a result of information or design changes provided in subsequent updates.
- **UPDATE DEADLINE:** It is the responsibility of the applicant or his/her agent to update this PUD application. All updates must be submitted within 180 days from the date your application was filed [Sec. 25-5-113]. Otherwise, the application will automatically be denied.
- If due dates or expiration dates fall on a weekend or City of Austin holiday, the next City of Austin workday will be the deadline.

**The following Staff should receive a packet for UPDATE #4:**

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**Austin Energy (AE):**

Electric - Jenna Neal, 512-322-6110

Green Building - Sarah Talkington, 512-482-5393

**Development Services Department (DSD):**

LUR Supervising Engineer – Andy Linseisen

Transportation – Scott James, 512-974-2208

Transportation – Bryan Golden, 512-974-3124

City Arborist – Keith Mars, 512-974-2755

City Arborist – Michael Embesi, 512-974-1876

Environmental – Atha Phillips 512-974-6303

Water Quality & Drainage – Danielle Guevara, 512-974-3011

Site Plan Review – Donna Galati, 512-974-2733

**Public Works Department (PWD):**

Bicycle Program – Nathan Wilkes, 512-974-7016

**Planning and Zoning Department (PZD):**

Zoning Review & Case Manager – Victoria (Tori) Haase, 512-974-7691

Comprehensive Plan Review – Kathleen Fox, 512-974-7877

**Watershed Protection Department (WPD):**

Environmental – Chuck Lesniak, 512-974-2699

Environmental – Andrea Bates, 512-974-2291

Wetland Biology – Andrew Clamann, 512-974-2694

Hydro-Geology Review – Sylvia Pope, 512-94-3429

Water Quality & Drainage – Reem Zoun, 512-974-3354

**Parks and Recreation Department (PAR):**

Planning – Marilyn Lamensdorf, 512-974-9372

**Neighborhood Housing & Community Development (NHCD):**

Jessi Koch, 512-974-3184

## AE Electric – Jenna Neal

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Ph: 512-322-6110

Email: [Jenna.Neal@austinenergy.com](mailto:Jenna.Neal@austinenergy.com)

[from original review]

EL 1. FYI: Any relocation of existing electric facilities shall be at developer's expense.

**RESPONSE: This is a site plan issue.**

EL 2. FYI: Ron Solbach at ph. 512-504-7145 or [Ronald.solbach@austinenergy.com](mailto:Ronald.solbach@austinenergy.com) is the initial Austin Energy contact for electric service design.

**RESPONSE: Understood.**

EL 3. FYI: Austin Energy's electric system maps show an underground electric duct bank that runs along the lot line between Lot 5, Koger Executive Center Unit 3 and Lot 6A, Resub of Lot 6, Koger Executive Center Unit 3.

This duct bank not only powers the building on Lot 6A but also the properties to the south across Executive Center Drive.

**RESPONSE: Understood.**

### **New Comments (U3)**

EL 4. Additional electric and telecommunications easement along and adjacent to Wood Hollow Dr, Executive Center Dr, Loop 1/ Mopac, Spicewood Springs Rd, and Hart Ln will be needed to bring power to the new development(s). The typical easements needed to bring a 3-phase main feeder along the road will need to be 15' wide.

**RESPONSE: This is a site plan issue.**

EL 5. Only Utility Compatible trees may be planted within 10' of existing and / or proposed Austin Energy electric facilities.

*The City's Environmental Criteria Manual (ECM) 2.4.1.D and 2.4.2.C state, "In areas where utility lines are present or proposed **only trees from the Utility Compatible Shade Trees list***

(see Appendix F

[https://www.municode.com/library/tx/austin/codes/environmental\\_criteria\\_manual](https://www.municode.com/library/tx/austin/codes/environmental_criteria_manual)

**RESPONSE:** This is a site plan issue.

## **AE Green Building Program – Sarah Talkington**

Ph: 512-482-5393

Email: [Sarah.Talkington@austinenergy.com](mailto:Sarah.Talkington@austinenergy.com)

The PUD language pertaining to Green Building is not acceptable (Ordinance, PART 9, no. 1). Please change the PUD agreement as follows:

### *Green Building Rating*

1. *A building in the Austin Oaks PUD that is served by Austin Energy must achieve a two-star rating under the City's Austin Energy Green Building program using the applicable rating version in effect at the time a rating application is submitted for the building.*

**RESPONSE:** Understood; the Ordinance has been modified to reflect this comment.

2. *A single family residential building in the Austin Oaks PUD that is not served by Austin Energy must achieve a two-star rating under the Austin Energy Green Building extended area rating network using the applicable rating version in effect at the time a rating application is submitted for the building.*

**RESPONSE:** The redevelopment proposal does not include single-family residential buildings.

## **Neighborhood Housing & Community Development – Jessi Koch**

Ph: 512-974-3184

Email: [Jessi.Koch@austintexas.gov](mailto:Jessi.Koch@austintexas.gov)

Continue to work with NHCD to craft specific affordable housing requirements.

**RESPONSE:** In Update #3, the owner had proposed a total of 12 residential units to households whose income is 80 percent or below the median family income of the Austin metropolitan statistical area for ownership units and 60 percent or below the Austin metropolitan statistical area for rental units. Update #4 is revised to double the number of units originally proposed. The owner will provide 5% of the residential units as a tier 2 item and 5% of the units for

4

purposes of tier 3, for a total of 10% of the residential units to households whose income is 80 percent or below the median family income of the Austin metropolitan statistical area for ownership units and 60 percent or below the Austin metropolitan statistical area for rental units. In addition, the owner has deleted the option of paying a fee-in-lieu of complying with the affordable housing requirement.

## Fire Department Review - Cora Urgena

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Ph: 512-974-0184

Email: [Cora.Urgena@austintexas.gov](mailto:Cora.Urgena@austintexas.gov)

1. Fire department access roads, fire hydrant spacing and the required fire flow must comply with IFC and will be verified when the site plans for construction are submitted.

**RESPONSE: Understood.**

## Parks & Recreation Dept. Planning – Marilyn Lamensdorf

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Ph: 512-974-9372

Email: [Marilyn.Lamensdorf@austintexas.gov](mailto:Marilyn.Lamensdorf@austintexas.gov)

UPDATE 3:

- PR1. On Exhibit C, add a column labeled Open Space Required and show the open space required for each Area No. (10% for residential, 20% for commercial)

**RESPONSE: A new open space exhibit has been added to the submittal and will be an exhibit to the Ordinance. See Exhibit L to the Ordinance. The PUD will have 40% more open space than required.**

- PR2. On Exhibit G, provide a table with the following categories and acreages:

- Parkland in the 25-year floodplain, CEF or CEF buffer (0% credit for parkland)
- Parkland between the 25-100 year floodplain (50% credit for parkland)
- Parkland outside the Floodplain (100% credit)
- Open Space, not counting toward parkland credit

**RESPONSE: Additional information has been added to Exhibit G that shows a total of 8.49 acres of Park space that will be dedicated and available to the public; however, the credited parkland is 5.26 acres which is what would be required for 250 multifamily units and 100 hotel**

rooms (actual required amount would be 5.2 acres under the current code; under the parkland dedication requirements that applied at the time the rezoning application was filed, the parkland dedication amount is 2.125 acres). A portion of the dedicated property is located between the 50' and 150' setback from a CEF because the area may be used for park improvements under Section 25-8-25 (redevelopment provision of the Code). Moreover, the owner is also contributing \$1,946,500, which is 6x more than would be required if the owner paid a fee-in-lieu for the parkland dedication requirement under the current ordinance.

PR3: Continue to work with PARD on parkland dedication credits.

**RESPONSE:** Please see response to PR2. Owner is available to discuss further.

PR4: A Biofiltration Area is shown on Exhibit G. Please explain the type of park amenity that will be in this space. Is this a required infrastructure element for water quality for the project that would prevent the use of the area for recreation?

**RESPONSE:** This was inadvertently included and will be deleted.

## WPD Environmental Office Review – Andrea Bates

Ph: 512-974-2291

Email: [Andrea.Bates@austintexas.gov](mailto:Andrea.Bates@austintexas.gov)

### Tier 1 & Tier 2 Compliance (superiority table)

EO 1. *Tier 1, #3, open space.* Please specify the amount of open space required based on land use, and state the exact amount of open space provided by the PUD. (Current language is “more than 10.92 acres.”)

**RESPONSE:** A new Exhibit L has been added to the draft ordinance, which sets forth most of the open space that will be provided throughout the Property; however, Exhibit L only shows the primary open space areas and does not include additional open space areas within the Property between buildings, parking areas and streets -- all of which would further increase the overall open space. Exhibit L shows a minimum of 11.02 acres of open space, which is 41.10% more open space than is required.

EO 2. *Tier 1, #8, minimum landscaping requirements.* Please specify how the project will exceed the minimum landscaping requirements of the Code, and clarify any references

to the "Grow Green Program." Grow Green is an educational program, not a specific set of requirements. Please note that using native and adapted plants from the Grow Green Guide and providing an IPM for the PUD are not sufficient to exceed the minimum landscaping requirements as required by Tier 1.

**RESPONSE: At least 50% of the total plant material planted, exclusive of turf and land within dedicated Parkland, shall be native to Central Texas or on the Grow Green Native and Adaptive Landscape Guide.**

EO 3. *Tier 2, #1, open space.* Please specify the amount of open space required based on proposed land uses, and state the exact amount of open space provided by the PUD. (Current language is "more than 10 acres.") Parks and open space areas are not shown on the Land Use Plan, as stated in the Tier 2 table narrative. Please identify all park and open space areas on the Land Use Plan.

**RESPONSE: Exhibit G to the Ordinance has been modified to add additional information and a new Exhibit L has been added to the Ordinance to show the open space, which is 41.10% more open space than is required. Please also see responses to PR2 and EO1 above.**

EO4. *Tier 2, #1, open space.* For environmental superiority, the provided open space acreage must exceed the acreage of protected environmental features – including floodplain, CWQZ, and CEF buffers. Please calculate and provide the acreage of floodplain, CWQZ, and 150' CEF buffers that are not currently developed. Include acreage totals for each of the three categories and a combined total that accounts for any overlap. Staff will then confirm whether the provided open space is larger than the floodplain/CWQZ/CEF area that would need to be protected anyway under §25-8-25 (see note EO 6).

**RESPONSE: The existing impervious cover within the floodplain, CWQZ and CEF buffers totals approximately 1.98 acres. The total amount of floodplain, CWQZ, and CEF buffers is approximately 5.9 acres. Therefore, the difference is 3.92 acres, which is the amount of floodplain/CWQZ/CEF area that would not otherwise be developable. And the total amount of open space is more than 11.02 acres, which is 7.1 acres greater than the amount of floodplain/CWQZ/CEF area that would need to be protected.**

EO 5. *Tier 2, #2, environment.* Please revise the Tier 2 table to include all of the Environmental/Drainage criteria listed in the code (Chapter 25-2(B), Article 2, Division 5, §2.4). Each code criterion should be listed in a separate row, and the Compliance and Explanation columns should state whether and how the project is meeting that criterion

(i.e., yes, no, or not applicable; for yes, a description of the proposal). Proposed superiority items that do not fit under code criteria can be added under "Employs other creative or innovative measures to provide environmental protection." Please ensure that the description in the Explanation column is specific enough to provide a review standard for future development applications.

**RESPONSE: The Tier Table has been revised.**

EO 6. *Tier 2, #2, environment.* As a general guideline, any statements that confirm the project will comply with code, rather than exceed code requirements, should be removed from the Tier 2 table. It is staff's understanding that the applicant is electing to redevelop under §25-8-25 – Redevelopment Exception in Urban and Suburban Watersheds. Please use the requirements of §25-8-25 rather than the remainder of Chapter 25-8(A) to determine whether the PUD proposal is superior to current code. (Chapter 25-7 and Subchapter 25-8(B) are still applicable.)

**RESPONSE: The Tier Table has been revised.**

EO 7. *Tier 2, #2, environment.* Please provide the existing square footage of impervious cover within the CWQZ and 150' CEF buffers, the square footage of impervious cover proposed to be removed, the square footage of any new non-compliant impervious cover or other development to be located in those areas, and the minimum distance of existing and proposed non-compliant development from the creek and CEF. This analysis should be performed separately for the CWQZ and each CEF setback on each parcel.

**RESPONSE: This analysis has been performed and demonstrative exhibits have been provided with Update #4. In the CEF 150' buffer, the owner will reduce impervious cover by more than 1 acre - from the current level of approximately 1.98 acres to approximately .79 acres.**

EO 7. *Tier 2, #2, environment.* Please provide additional information about the proposed restoration in the CWQZ and CEF buffers. Staff suggests the following draft language:

The PUD shall restore the critical water quality zone and CEF buffer areas identified in Exhibit H, Creek Plan. A restoration plan shall be submitted to the City for review and approval and implemented with each site plan for Parcels 2, 3, 4, and 5. The restoration plan shall include planting and seeding pursuant to Standard Specification 609S and must demonstrate that the following parameters of Appendix X "Scoring: Zone 2 – Critical Water Quality Zone" shall be raised to "Good (3)" or "Excellent (4)" condition: Gap Frequency, Soil Compaction, Structural Diversity, and Tree Demography.



Per the above language, Exhibit H should show all areas within the CWQZ and 150' CEF setbacks where existing impervious cover will be removed and restoration will be performed.

**RESPONSE:** Understood. The language of the note on Exhibit H has been modified to reflect the two zones that are applicable and within Appendix X. In addition, because the floodplain and critical water quality zone is comprised of considerable parking areas currently, a 10-year period of time has been allocated to allow for the plants and trees which will be part of the restoration plan to stabilize, and a more appropriate score of fair to good is being used (since the area is starting at such a deficit with pavement).

EO 8. *Tier 2, #2, environment.* Please note that pedestrian paths and a pedestrian bridge may be allowed in the CWQZ pursuant to §25-8-25, but they do not contribute to environmental superiority. Please remove these references from the environment/drainage section of the superiority table.

**RESPONSE:** Understood. A revised Tier Table has been submitted with Update #4.

EO 9. *Tier 2, #2, environment.* To determine the proposed reduction in impervious cover, please specify the maximum impervious cover allowed by code for the current zoning districts (on both an aggregate and parcel-by-parcel basis, if applicable).

**RESPONSE:** Because Section 25-8-25 of the City Code is being applied to this Property, the maximum allowable impervious cover would be the current amount of 66%. If 25-8-25 was not applied, the following site development regulations would apply to each lot:

TRACT	ACRES	ZONING	MAX FAR	MAX BLDG COVER	MAX IMPER COVER
1	2.26	LR	.5:1	50%	80%
2	2.37	LR	.5:1	50%	80%
3	3.26	GR	1:1	75%	90%
4	3.1	GR	1:1	75%	90%
5	2.55	GR	1:1	75%	90%
6	1.95	GR	1:1	75%	90%
7	1.78	GR	1:1	75%	90%
8	2.75	LO	.7:1	50%	70%
9	2.46	LO	.7:1	50%	70%
10	2.7	LO	.7:1	50%	70%
11	1.62	LO	.7:1	50%	70%
12	2.38	LO	.7:1	50%	70%
13	1.83	LO	.7:1	50%	70%

EO 10. *Tier 2, #2, environment.* Please provide any known details about the proposed inundation area on Parcel 3 (e.g., that it will be located where impervious cover is removed; whether it will be within the CWQZ or CEF buffers; approximate location, size, depth, etc.). Staff understands that the inundation area will be designed at site plan, but any additional information that can be provided at this time would be useful to include. In order to evaluate the level of superiority provided by the detention area, please provide a comparison of the proposed volume to what the detention requirement would be if the PUD were currently undeveloped.

**RESPONSE:** Submitted with this response is a drainage study that shows the potential inundation areas, which are also set forth on Exhibits to the Ordinance. Because this Property is developed with 66% impervious cover and the proposed redevelopment will reduce the impervious cover on the Property, no detention is required and, therefore, an analysis of detention if the property were completely undeveloped seems to present an unrealistic comparison. Nevertheless, an informal study of the 31.4 acres has demonstrated that roughly 150,000 cubic feet of detention would have been required if this 31.4 acres was completely undeveloped.

EO 11. *Tier 2, #2, environment.* Please continue to work with staff to determine whether the proposed tree removal, protection, and mitigation meet code, require a code modification, and/or contribute to environmental superiority.

**RESPONSE:** Understood.

#### **Exhibit C, Land Use Plan**

EO 12. As noted in EO 3, please identify park and open space areas on the land use plan.

**RESPONSE:** Including the park and open space on Exhibit C (Land Use Plan) is confusing and difficult to show. For clarity, the park and open space areas will be identified on Exhibits G and L, which will be attached to the ordinance and incorporated into the ordinance in their entirety as though set forth fully in the text of the ordinance.

EO 13. Please identify the standard 150' buffer for all CEFs.

**RESPONSE:** Understood; please see revised exhibits to Ordinance.

EO 14. The CWQZ, 100-year floodplain, and CEF buffers are difficult to read on this plan. Please revise the symbology to better illustrate the environmental features on the land use plan. Can the Erosion Hazard Zone and Drainage Easements be removed to make the plan easier to read?

**RESPONSE: The Land Use Plan, Exhibit C, has been updated to account for these comments; however, because an Erosion Hazard Zone Report has been submitted, the EHZ delineation remains on the Land Use Plan.**

#### **Exhibit H, Creek Plan**

EO 15. Please identify the standard 150' buffers for all CEFs.

**RESPONSE: Understood; please see revised Ordinance.**

EO 16. As noted in EO 14, the boundaries on this exhibit are difficult to read. Please revise the symbology to better illustrate the environmental features and restoration areas, and remove any information that is not necessary for PUD review (e.g., EHZ, drainage easements, etc.).

**RESPONSE: The Land Use Plan (Exhibit C) has been updated to account for these comments; however, because an Erosion Hazard Zone Report has been submitted, the EHZ delineation remains on the Land Use Plan.**

EO 17. Please delete notes 1, 2, and 5, and delete or revise notes 3, 4, and 6 to reflect requested changes to the superiority table. All significant elements of the PUD proposal should be included in either the superiority table or a code modification table. Notes on the exhibit can repeat, reference, or add details to those proposals, but the exhibit notes should not be the only source of this information.

**RESPONSE: Notes on exhibits which are attached to the Ordinance have the same effect as if they were in the Ordinance. Note 1 has been deleted. Notes 2 (CWQZ) and 5 (stable banks) need to remain to ensure fairness in the implementation of the redevelopment plan. Removing the notes puts at risk the balanced approach that the redevelopment plan represents and unfairly exposes the owner to a "gotcha" at a later date. Instead, the owner has accepted -- without variance -- the CWQZ delineation. Note 5 needs to remain for the same reasons -- the note specifies the limited type of structures or objects that are allowed in the CWQZ; there is no reason to play a "gotcha" game by changing the City rules at a later date**

**when the vision for this Creek area was to create an open and publicly accessible environment. The remaining notes have been revised pursuant to comments, including comment EO7 above.**

### **Exhibit J, Tree Plan**

EO 18. This exhibit is hard to read. If the purpose is to designate every tree as either preserved or removed, it might be useful to incorporate color (e.g., green and red) into the plan, and add a detailed table with tree number, species, size, and proposal (preserved, removed, relocated).

**RESPONSE: An updated Exhibit J, Tree Plan, has been filed with Update #4 to assist with identification of the trees.**

### **Applicant's Draft Ordinance**

EO 19. As a general guideline, all of the environmental and drainage information in the applicant's draft ordinance should be included in the superiority table, code modification table (if necessary), and/or exhibits. The applicant's draft ordinance should not be the sole source of information about specific PUD proposals.

**RESPONSE: Updated Ordinance, exhibits, and Tier Table have been submitted as Update #4, along with demonstrative exhibits and additional materials to assist with the analysis.**

EO 20. Please create a code modification table that includes any proposed changes to existing code. It is difficult to identify and understand all of the proposed code modifications from reading the draft ordinance (e.g., Exhibit F contains code modifications but does not always specify current requirements). If the applicant is proposing to use the redevelopment exception, then the only proposed code modifications to Subchapter 25-8(A) should be to §25-8-25. Please delete the proposed code modifications to §25-8-281 and -372 in Part 12 items 1, 2, and 3.

**RESPONSE: The code modification list which is Part 12 of the Ordinance has been updated to include the proposed code modifications.**

EO 21. *Part 5, 1, J.* Please revise the description of the Creek land use classification to clarify that it does not supersede or change the requirements for development within a CWQZ or CEF buffer established in §25-8-261, §25-8-281, and §25-8-282. Also, the reference to Parcel 1 may need to be removed; Exhibit H does not identify any Creek land use on Parcel 1.

**RESPONSE:** Parcel 1 has been removed from the description of the Creek land use classification found in Part 5 (*Definitions*) of the Ordinance. Other requested changes have not been made to avoid the "gotcha" that could occur with changes in the City's rules at a later date concerning what can and cannot be placed within the CWQZ or CEF buffer. Specifically, under 25-8-25, so long as the level of non-compliance does not increase within these buffers, impervious cover (including buildings and pavement) is allowed.

EO 23. *Part 8, 2.* Please clarify that the Creek land use classification and Exhibit H do not supersede or change the requirements for development within a CWQZ or CEF buffer. Any modifications to Subchapter 25-8(A) should be to §25-8-25 and should be explicitly listed in a code modification table.

**RESPONSE:** Please see response to EO 21.

EO 24. *Part 8, 7.* Please clarify that the Creek land use classification and Exhibit H do not supersede or change the requirements for development within a CWQZ or CEF buffer. Any modifications to Subchapter 25-8(A) should be to §25-8-25 and should be explicitly listed in a code modifications table.

**RESPONSE:** Please see response to EO 21.

EO 25. *Part 9, 2 and 3.* Please delete; these code modifications are not necessary if the PUD is electing to redevelop under §25-8-25.

**RESPONSE:** Please see response to EO 21. The provisions referenced in Part 9, Paragraph 3, explicitly state that the current code will apply. Again, if the City changes this Code provision, it will jeopardize the balance that has been struck with the redevelopment plan.

EO 26. *Part 9, 4. EO 11.* Please continue to work with staff to determine whether the proposed tree removal, protection, and mitigation meet code, require a code modification, and/or contribute to environmental superiority.

**RESPONSE:** Understood. Part 9, Paragraph 4, has been revised.

EO 25. *Part 9, 5.* Please delete or propose a specific code modification to §25-8-25.

**RESPONSE:** Part 9, Paragraph 5, has been revised to explicitly reference current City Code Section 25-8-25 and that its application will be considered on an overall Property basis.

EO 26. *Part 9, 6.* Please delete the first sentence; it is not necessary to restate code requirements.

**RESPONSE:** As previously noted, if the City were to modify the current City Code and disrupt the balance set forth in the redevelopment plan, the owner would be unfairly at risk. Currently, no detention is required and that fact sets the context for the environmental superiority associated with the owner's provision of 20,000 cf of detention storage to help with downstream flows.

EO 27. *Exhibit D, D.* Please revise to clarify that the Creek “development” consists of the restoration and open space development allowed by code and specified in the superiority table and Exhibit H.

**RESPONSE:** Exhibit D is a Phasing Plan and does not identify the specific improvements that are permitted within the Creek; nevertheless, language has been added to clarify that the Creek may be improved in phases consistent with the provisions of the Ordinance and related Exhibits.

EO 28. *Exhibit F, 4.* Please delete; this code modification is not necessary if the PUD is electing to redevelop under §25-8-25.

**RESPONSE:** 25-8-62(c) is the current applicable provision for the calculation of impervious cover. If the City changes this Code provision at a later date it will jeopardize the balance that has been struck with the redevelopment plan.

EO 28. *Exhibit F, 7.* Please delete; this code modification is not necessary if the PUD is electing to redevelop under §25-8-25.

**RESPONSE:** Understood, this provision has been deleted.

EO 28. *Exhibit F, 9.* Please delete; an ERI and Hydrogeologic Report will be required with each site plan.

**RESPONSE: Understood; this provision has been deleted.**

EO 29. *Exhibit F, 11.* This is a code modification to the landscaping requirements. Tier 1 requires PUDs to exceed landscaping requirements. Any code modifications to §25-2-1008(A) must be offset by additional landscaping superiority in order to meet the Tier 1 requirements.

**RESPONSE: At least 50% of the total plant material planted, exclusive of turf and land within dedicated Parkland, shall be native to Central Texas or on the Grow Green Native and Adaptive Landscape Guide.**

## **WPD Drainage & Water Quality Engineering Review – Reem Zoun**

Ph: 512-974-3354

Email: [Reem.Zoun@austintexas.gov](mailto:Reem.Zoun@austintexas.gov)

1. Please provide a drainage report with relevant hydrologic and hydraulic analyses showing the proposed detention pond with a volume at least 20,000CF in addition to the existing detention pond on-site (Kroger Pond); the existing and proposed drainage plan for the site; and no adverse impact downstream for 2yr, 10yr, 25ys and 100yr storm events.

**RESPONSE: Because this Property is developed with 66% impervious cover and the proposed redevelopment will reduce the impervious cover on the Property, no detention is required. As part of the environmental superiority and in response to a staff request, 20,000 cubic feet of detention storage was added to the plan to mitigate the 25- and 100-year flows which are deemed to be most critical for the downstream watershed flooding conditions. Submitted with this Update #4 is a drainage report that shows the potential inundation areas for the 20,000 cubic feet of detention storage. The drainage report illustrates the estimated magnitude of the flow reduction for all events for the redeveloped Parcels as a result of the impervious cover reduction and, additionally as a result of the added detention storage. The existing local in-channel detention resulting from the restrictions in culvert capacity is not affected by the redevelopment project.**

2. Please provide hydrologic analysis to show the required detention pond size for the Austin Oaks site treating the site as green field development and hydraulic analysis to show the impact of such detention volume downstream. Please document this in the drainage report.

**RESPONSE: Submitted with this response is a drainage study and Exhibits to the Ordinance that show the potential inundation areas. Because this Property is developed with 66% impervious cover and the proposed redevelopment will reduce the impervious cover on the Property, no detention is required. Nevertheless, an informal study of the 31.4 acres has demonstrated that roughly 150,000 cubic feet of detention would have been required if this 31.4 acres was completely undeveloped.**

3. Consider providing additional detention volume at the water quality pond location.

**RESPONSE: Please see drainage engineering report submitted with this Update #4 and response to #1 above. Furthermore, the water quality ponds are required to contain a substantial volume, in this case typically 1.1-1.3 inches of runoff which will have a substantial effect on the 2-year event. It will be impractical in this case to provide a meaningful amount of stacked detention in addition to the WQ volume.**

4. Consider providing detention volume by sloping the banks outwards from existing channel.

**RESPONSE: This is not practical given the bank configuration and composition; please see Erosion Hazard Report that was submitted with Update 3.**

## **WPD Hydro Geologist Review – Sylvia R. Pope, P.G.**

Ph: 512-974-3429

Email: [Sylvia.Pope@austintexas.gov](mailto:Sylvia.Pope@austintexas.gov)

Please note: Update 3 is considered a new plan due to the change in design and applicant's consultants. Therefore, all comments should be considered new.

Update 3. Submitted 4/21/2016

- HG 1. There are two geological Critical Environmental Features on Parcel 2 at the southeastern corner of Wood Hollow Drive and Executive Center Drive. These are a canyon rimrock and a seep that is within the canyon rimrock. Their locations are shown on the PUD plan sheets, Exhibits C, H and K. Critical Environmental Feature (CEF) buffers of 50 feet are shown for future reference within this redevelopment.



An existing parking lot upslope of the CEFs will be removed within 50 feet of the CEFs. This action may be viewed favorably and contribute to an element of environmental benefit as part of the redevelopment under Chapter 25-8-25. However, additional specific restoration details need to be provided in order for staff to support the proposed restoration as a Tier 2 component.

**RESPONSE: Further restoration details have been included in the Ordinance submitted with Update #4. See Response to EO 7.**

HG 2. There is an offsite spring located to the north of Parcel 7 and north of Spicewood Springs Road. Exhibit K of the Land Use Plan shows a 300-foot radius buffer from the spring and the legend states that the area will be limited to 50% impervious cover. However, this pledged restriction is not repeated in the Tier 1 & Tier 2 compliance table. Please add specific restrictions to the Tier 1 & Tier 2 compliance table.

**RESPONSE: The Tier Table has been revised.**

HG 3. Portions of the PUD are within the Recharge Zone of the Northern Edwards Aquifer and portions close to the eastern perimeter are outside, per surface exposure of geologic units. Although not required under the Redevelopment Exception (LDC 25-8-25), the recommendation is that the PUD agreement should comply with the City of Austin's Void and Water Flow Mitigation Rule (LDC 25-8-281 (D), ECM 1.12.0 and COA Item No. 658S of the SSM). This is a standard provision for development over the recharge zone and would demonstrate a commitment to protection of groundwater resources.

**RESPONSE: This may be considered at the time of site plan.**

HG 4. Please note that construction of underground parking structures has the potential to intercept shallow groundwater. Due to the proximity of Spicewood Springs, disturbance to groundwater flow paths may have an impact to the Jollyville Plateau Salamander habitat at Spicewood Springs. Please describe how this situation has been evaluated and whether any underground parking structures or excavation greater than 8 feet is proposed on Parcels 7, 8, 9 and 10.

**RESPONSE: Understood; at this time, no studies related to groundwater have been conducted. The owner will comply with all Federal, State, and local rules and regulations concerning Endangered Species. This is something that would more appropriately be considered at the time of site plan. Owner expects some excavation greater than 8 feet below structures and will conduct appropriate geotechnical investigations at the time of design.**

HG 5. A proposed pedestrian trail along the creek is alluded to within the documentation. Please provide additional specific alignment for Parcel 2 and how this will be incorporated into the standard protection for the CEFs. Please evaluate how the area of impervious cover removed and restored contrasts with the area restored within 150 feet of CEFs. Please incorporate proposed measures into the Tier 1 & Tier 2 Compliance table, especially on Item 6.

**RESPONSE: In the CEF 150' buffer, the owner will reduce impervious cover by more than 1 acre - from the current level of approximately 1.98 acres to approximately .79 acres. This analysis has been performed and demonstrative exhibits have been provided with Update #4. In addition, a statement has been added to the Tier Table to highlight this reduction in impervious cover. The alignment of the nature trail in the Creek Plan for Parcel 2 is for demonstrative purposes only since this property will be deeded to the City of Austin and ultimately it will be the decision of the Parks Department.**

HG 6. The Tier 1 & Tier 2 Compliance table lists in Item 2 of the Tier 2 section several elements of the project that warrant an “environmentally superior” rating. Please provide specific detail in the Land Use plans and Exhibits to the PUD to support that the project is superior in terms of Critical Environmental Feature protection and restoration.

**RESPONSE: Please see response to EO 7. The Tier Table has been updated and the Ordinance revised where necessary.**

HG 7. The PUD ordinance, Part 12, specifically excludes LDC sections 25-8-281(C)(1)(a) and 25-8-281(C)(2) of the Critical Environmental Feature provisions. Please strike numbers 2 and 3 from this section.

**RESPONSE: Done; please see revised Ordinance.**

HG 8. Additional comments may be generated with future updates.

## **WPDR Wetlands Biologist Review – Andrew Clamann**

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WB1. Comment cleared (wetland CEFs shown as described in ERI)

WB2. **Update 0.** Please show a contiguous 50ft CEF setback from centerline on both sides of creek.

**Update 1.** 5/18/2015: Currently, the only CEF setbacks shown in figures are the CEF setbacks associated with the Rimrock, however there should be CEF setbacks shown associated with wetland CEFs. PUD figures should show all CEF setbacks, including all wetland CEF setbacks. Instead of the Standard 150ft CEF setback from wetland CEFs, the applicant may apply a 50ft CEF setback from the centerline of the channels. This can be approved as an administratively modified CEF setback and reduction to setback area in conjunction with mitigation (see next comment) pursuant to ECM 1.10 (formerly ECM 1.3).

**Update 2.** 8/19/2015: The setback is labeled "50' Creek Centerline Setback" rather than "Wetland CEF Setback". Additionally, the setback is not contiguous, ends prematurely on the North end, and is not clearly visible. This ambiguity is not acceptable. This reviewer recommends a meeting with applicant to ensure an appropriate and acceptable revision to

**Update 3. (7/1/2016): Wetland CEF Buffer is clearly labeled for the section between Wood Hollow and Executive Center Dr, however it is either not labelled (exhibits C and K), or is mislabeled (exhibit H) for the section between Executive Center Dr and Spicewood Springs Rd. To clear this comment, as requested in previous updates, 1) please label the "CEF buffer" applied to the entirety of the stream (including the section between Exec center and Spicewood) in Exhibits C/H/K, and please delete ambiguous, undefined terminology such as "Creek Zone Boundary" in Exhibit H.**

**RESPONSE:** The exhibits to the Ordinance have been updated; however, the terminology remains and is appropriate.

**If applicant intends to pursue requesting using the redevelopment exemption, then it will be imperative to show the full 150ft Standard CEF setback from the boundaries of all CEFs and label them "CEF buffer".**

**RESPONSE:** The exhibits to the Ordinance have been updated to show the entire 150' CEF setbacks.

WB3. **Update 0.** Please include language in the PUD that unambiguously states preservation of the CEFs, short term impacts to the CEF setback for restoration, and longer preservation of the CEF setbacks in a natural condition (full growth).

**Update 1.** 5/18/2015: Repeat comment

**Update 2.** 8/19/2015: The Note provided (note 33) is ambiguous and does not appear to convey the intent recommended in the original comment above. This reviewer recommends a meeting with applicant to ensure an appropriate and acceptable revision to Update 3.

**Update 3. 5/11/2015: The notes provide in Exhibit H and language in the PUD does not convey the intent for restoration as discussed in previous meetings (see WB4). As requested in previous updates, please provide clear language to convey the intent for CEF setback restoration (see WB4).**

**RESPONSE:** Further restoration details have been included in the Ordinance submitted with Update #4. See Response to EO 7.

WB4. **Update 0.** Please include language, plan view figures and details in the PUD that unambiguously indicate the riparian buffer restoration activities which will occur within the CEF setback. This should include removal of all impervious cover and restoration of the channel, banks, floodplain benches and riparian corridor to a more natural stream morphology and native plantings. Stream morphology of upstream reach can be used as a template for downstream reach. Proposed restoration shall be approved by ERM prior to PUD approval. Please provide restoration plan to this reviewer.

**Update 1.** 5/18/2015: In order to mitigate for the reduction to the total area of the Standard CEF Setback for wetland CEFs, applicant must demonstrate compliance with mitigation guidance in ECM 1.10 (formerly ECM 1.3.0). This reviewer recommends enhancement of one bank of the channel north of Executive Center Drive. Currently the historic bank armoring of the channel north of Executive Center Drive has created a narrow cross section which creates increased velocity during storm events that scours in-channel habitat. Restoring a wider cross section to the channel may restore the creek (similar to cross section to the south of Executive Center Drive). Widening the cross section of the channel and restoration of one of the banks north of Executive Center Drive may be considered "enhancement" which shall mitigate for the reduction to the standard CEF setback for wetlands.

**Update 2.** 8/19/2015: The Note provided (note 52) is ambiguous and does not appear to clearly convey the intent recommended in the two comments above. This reviewer recommends a meeting with applicant to ensure an appropriate and acceptable revision to

Update 3. (7/1/2016): The notes provide in Exhibit H and language in the PUD does not convey the intent for restoration as discussed in previous meetings (see Update 0,1,2). As requested in previous updates, and as discussed in previous meetings, please provide clear language to convey the intent for CEF setback restoration, as described above, to include restoring a wider cross section to the channel by laying back one or both of the banks and installing native revegetation. Revegetation is recommended to accomplish a score of "Good" in accordance with the Functional Assessment described in Zone 1 Appendix F.

**RESPONSE:** Further restoration details have been included in the Ordinance submitted with Update #4. See Response to EO 7. Please review the Erosion Hazard Zone report; due to the configuration and geometry of the channel, along with the large boulders that have historically stabilized the channel banks, the channel is not a candidate for "laying back." Instead, for example, the area on Parcel 3 adjacent to the channel will become an appropriate inundation area for 20,000 cf of detention storage.

If applicant intends to pursue requesting using the redevelopment exemption, then it will be imperative to provide superiority. An element of superiority may include the restoration of a wider cross section to the channel by laying back one or both of the banks and installing native revegetation. Revegetation is recommended to accomplish a score of "Good" in accordance with the Functional Assessment described in Zone 1 Appendix F.

**RESPONSE:** Please see response to WB3 and WB4.

WB5. Update 3 (new) Provision 7 of the General Site Development Regulations (Exhibit F) of the ordinance language states that "The provisions of the Exhibit H provide for the required protected of wetlands and the provisions of City Code Section 25-8-282 (Wetland Protection) do not apply to the PUD". To clear this comment, please strike Provision 7 in its entirety. This is an unacceptable and ultimately unnecessary provision. Exhibit H shall provide the necessary clarity (see Comments WB 2,3, 4) that describes what construction activities are allowed regarding the Wetland CEF, and but provisions regarding protection of the wetland still apply.

**RESPONSE:** The Ordinance has been revised and Paragraph 7 of Exhibit F has been deleted.

## DSD Environmental Review –

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## Atha Phillips

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No comments.

## DSD City Arborist Review – Keith Mars

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CA #1: Staff does not support the proposed language in Part 9, statement 4. It is unlikely there is such refinement in conceptual site plans that the specific inches of trees to be removed is known. If submitted plans differ, and removal is greater, then the PUD would grant less mitigation than what is actually proposed on the site plan.

**RESPONSE: Part 9, Paragraph 4 has been revised to reflect this comment.**

CA #2: Part 9 statement 4: Planting mitigation inches “to the extent feasible” shall be amended to “to the extent feasible as determined by staff”.

**RESPONSE: Done. Please see revised Part 9, Paragraph 4.**

CA #3: Part 9 statement 4: Staff does not agree with the statement that mitigation can be transferred within the PUD as transferring requirements between site plans present tracking and owner/developer concurrence issues.

**RESPONSE: The concept has been deleted from Part 9, Paragraph 4.**

CA #4: Part 9 statement 4: Remove the statement regarding mitigation at \$200 inch. Mitigation payment, if allowed, will be subject to the rate at site plan submittal.

**RESPONSE: Done. Please see revised Part 9, Paragraph 4.**

CA #5: Part 9 statement 4: Remove the statement regarding credits as this is not clear or enforceable.

**RESPONSE: There is no established mitigation mechanism to address preserved trees on a redevelopment site. It would make sense to incent mitigation behavior. The following mitigation measures are proposed to address the healthcare of preserved trees on site: a)**

apply tree mitigation funds generated from this Property directly to this Property for the healthcare and revitalization of preserved trees, and b) provide appropriate credit for the removal of impervious cover that surrounds the Critical Root Zone. For example, if an existing 18" caliper tree has 4 ft of pervious area surrounding the trunk at grade and the remaining Critical Root Zone of 36ft diameter is impervious cover, then the maximum credit that could be obtained would be 16 caliper inches; the math would be as follows:

ECM states that an 18" caliper tree has a Critical Root Zone of 36 ft in diameter;

If all the impervious cover were removed from the Critical Root Zone beyond the 4ft of dirt surrounding the tree at grade, that would be the removal of 32ft diameter around the tree.

By using the same formula to calculate Critical Root Zone, the removal of 32ft diameter of impervious cover would equal 16" caliper mitigation.

CA #6: Part 9 statement 4: Staff does not agree with setting the tree survey date as 2013. Per the ECM surveys must be five years or more recent at the time of site plan submittal.

**RESPONSE:** The process for designing the Austin Oaks redevelopment plan included a 3-month process that concluded with a 1-week Design Charrette, and then further refinements thereafter to focus on further reduction of height and preservation of trees. The result is a complete package that includes stakeholder interests, environmental superiority, and a pedestrian experience over a 31.4-acre site is far superior to any similarly-sized site within NW Hills and which includes a Heritage Trail that highlights the oaks. Requiring a new survey every 5 years puts at risk the balanced approach that the redevelopment plan represents and unfairly exposes the owner to a "gotcha" at a later date if a non-regulated or protected tree were to grow and become a regulated or heritage tree that prevents the construction of a building essential to the balancing effort. As a compromise, the owner proposes that the tree survey may be used with any application for a site development permit for 22 years (25 years from the date of the survey) and, thereafter, a new tree survey will have to be performed for each site plan - putting the owner at risk after the 22-year period. Part 9, Paragraph 4 has been updated to reflect this equitable compromise.

CA #7: Part 9 statement 4: Staff does not agree with the statement that, "no additional mitigation will be required and no other trees will be identified as protected or heritage trees".

**RESPONSE: This concept has been deleted. Please see revised Part 9, Paragraph 4.**

CA #8: On the Tier 1 and Tier 2 document I do not see any documentation that supports the statement that more than 7,000 inches of trees less than 8" will be preserved.

**RESPONSE: Done. Tier Table has been updated to reflect the fact that more than 7,000 caliper inches of trees less than 8", which are non-regulated trees subject to removal, will be preserved. In addition, the area where these trees will be preserved is set forth on Exhibit J (Tree Plan); please see revised Exhibit.**

CA #9: Provide the tree survey including species and diameter and include the tree assessment.

**RESPONSE: Provided with this Update #4.**

## **DSD Drainage Engineering Review – Danielle Guevara**

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RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

This project is located at 3429 EXECUTIVE CENTER DR and is within the Shoal Creek watershed(s), which are classified as Urban Watersheds. This project located within the Edwards Aquifer Contributing Zone.

DE1. Please provide a complete Tier 1 and Tier 2 table for review. Tier 1 should speak to how the project is meeting current code and asking for variances when it does not meet the requirements of current code. Tier 2 should speak to how the project will go above and beyond current code.

**RESPONSE: An updated Ordinance and Tier Table has been provided with Update #4.**



DE2. Exhibit F – Please remove item #8. Any drainage studies required will be reviewed at the appropriate review process based on what is being proposed. Please also remove the statement regarding drainage studies from item #9.

**RESPONSE:** The Ordinance has been revised to delete the requirement that no further drainage study will be required. Although a drainage study may be performed pursuant to City Code Section 25-7-31 (*Director Authorized to Require Drainage Studies*) for a site development permit or building permit within the PUD Property to assist with the location of water quality facilities, no further on-site detention or RSMP shall be provided or required for the PUD Property other than the 20,000 cf feet of detention which will be designed at the time of site plan for Parcel 3.

DE3. Part 9 – please remove item #6. The requirement for detention will be reviewed at each parcel's site plan review. Factors in addition to impervious cover amount are reviewed when determining detention requirement.

**RESPONSE:** Because this Property is developed with 66% impervious cover and the proposed redevelopment will reduce the impervious cover on the Property, no detention is required. As part of the environmental superiority, submitted with this response is a drainage study that shows the potential inundation areas. Although not required, detention was an item raised by community members and staff during the design charrette. After the charrette, the design team made further refinements to locate the inundation area for 20,000 cf of detention; no further detention will be required during the redevelopment of the Property. *See also* response to comment DE2.

DE4. Exhibit H – Creek Plan; please remove note #1.

**RESPONSE:** Please see response to EO 17.

DE5. Exhibit H – note #6; will this only affect parcel 3, or could it also affect parcel 4 and 5? Also, please discuss floodplain modifications with EV reviewer.

**RESPONSE:** The inundation area for the 20,000 cf will exclusively be located on Parcel 3; therefore, note 6 will only apply to Parcel 3. No modification to the floodplain is being sought.

**Watershed Protection Department, Watershed Engineering Division Comments:**

1. Please provide a drainage report with relevant hydrologic and hydraulic analyses showing the proposed detention pond with a volume at least 20,000CF; the existing and proposed drainage plan for the site; and no adverse impact downstream for 2yr, 10yr, 25ys and 100yr storm events.

**RESPONSE: Because this Property is developed with 66% impervious cover and the proposed redevelopment will reduce the impervious cover on the Property, no detention is required. As part of the environmental superiority and in response to a staff request, 20,000 cubic feet of detention storage was added to the plan to mitigate the 25- and 100-year flows which are deemed to be most critical for the downstream watershed flooding conditions. Submitted with this Update #4 is a drainage report that shows the potential inundation areas for the 20,000 cubic feet of detention storage. The drainage report illustrates the estimated magnitude of the flow reduction for all events for the redeveloped Parcels as a result of the impervious cover reduction and, additionally as a result of the added detention storage. The existing local in-channel detention resulting from the restrictions in culvert capacity is not affected by the redevelopment project.**

**DSD Water Quality Review – Danielle Guevara**

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RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL DATA, INFORMATION, AND CALCULATIONS SUPPLIED BY THE APPLICANT. THE ENGINEER OF RECORD IS SOLELY RESPONSIBLE FOR THE COMPLETENESS, ACCURACY, AND ADEQUACY OF HIS/HER SUBMITTAL, WHETHER OR NOT THE APPLICATION IS REVIEWED FOR CODE COMPLIANCE BY CITY ENGINEERS.

This project is located at 3429 EXECUTIVE CENTER DR and is within the Shoal Creek watershed(s), which are classified as Urban Watersheds. This project located within the Edwards Aquifer Contributing Zone.

WQ1. Please provide a complete Tier 1 and Tier 2 table for review. Tier 1 should speak to how the project is meeting current code and asking for variances when it does not meet the requirements of current code. Tier 2 should speak to how the project will go above and beyond current code. Providing water quality controls and an IPM plan are listed as

superior, however these are items required by Code/Criteria and would not be considered superior.

**RESPONSE: An updated Ordinance and Tier Table has been provided with Update #4.**

WQ2. If you would like to request fee-in-lieu of water quality for parcels 1, 8, and 9, please show how you are compensating for that such as by treating offsite runoff that is not currently being treated, etc.

**RESPONSE: The fee-in-lieu of water quality provision has been deleted; please see Update #4.**

WQ3. EHZ Analysis – Please provide an EHZ analysis that complies with the Drainage Criteria Manual, Appendix E. At a minimum, the channel geometry, side slope, incision factor, and 2-year WSE should be provided.

**RESPONSE: The appendix E method is a low level analysis that does not take into account the material, i.e. rock or erodible soil, that comprises the channel flowline and banks. Instead, the owner has submitted a more rigorous analysis that reflects the character of the channel. The owner provided the hydraulic model which includes the channel geometry and 2-year water surface calculation in the drainage report. Because the channel flowline is hard limestone there will be little or no additional incision. Moreover, this condition has been present for decades through periodic, major flood events.**

WQ4. Are you proposing to provide water quality controls per ECM 1.6.7 throughout the PUD?

**RESPONSE: Pursuant to Section 25-8-25(b)(2), the Property will be redeveloped with the level of water quality treatment prescribed by current regulations. This has been restated at Part 9, Paragraph 5 of the Ordinance. Although the flexibility of utilizing Green Storm Water Quality Infrastructure will be available as the Parcels are developed, use of such water quality controls is not mandatory.**

WQ5. FYI – ponds that are covered, decked or buried will be required to meet the subsurface pond requirements. This will be reviewed at the site plan stage for each parcel.

**RESPONSE: Understood.**

WQ6. Exhibit D – the IPM plan should be done at the site plan stage for each parcel as it should be specific to what is being proposed with that particular site plan.

**RESPONSE: Understood, the Phasing Plan will be revised accordingly.**

WQ7. Exhibit G – Park Plan; please explain what the area labeled 'bio-filtration area' is. Are you committing to providing a bio-filtration pond here? If so, what impervious cover would it treat?

**RESPONSE: This was inadvertently included and will be deleted.**

## **DSD Site Plan Review – Donna Galati**

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SP1. Provide Tier 1 & Tier 2 compliance.

**RESPONSE: An updated Ordinance and Tier Table has been provided with Update #4.**

SP2. Part 8, Note 4 – this is conceptual. This should be a note on the land use plan, rather than a statement in an ordinance.

**RESPONSE: Understood; a note will also be added to Exhibit C (Land Use Plan), Exhibit G (Park Plan), Exhibit H (Creek Plan) and Exhibit I (Streetscape).**

SP3. The Land Use Definitions (creek, restaurant, etc) are in conflict with the LDC. Create new terms for land use (Land Use A, B, C, etc)

**RESPONSE: Understood; the Ordinance has been revised to add "AO" as a prefix.**

SP4. Ensure that there are no building locations or shapes on the land use plan.

**RESPONSE: Understood.**

## **DSD Flood Plain Review – David Marquez**

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28

No comments

## DSD Transportation Review – Bryan Golden

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### **TIER I REQUIREMENTS (Division 5. Planned Unit Developments)**

- TR1. **Requirement #7:** If on-street parallel parking is provided, accessible parking should also be provided. Required spaces shall be considered cumulatively for the block face, per side, based on the number of provided on-street spaces (LDC 25-6-475)

### **RESPONSE: Understood.**

- TR2. **Requirement #9:** Bike and Trails will review PUD and may provide additional recommendations. The "Heritage Trail" needs to be within a dedicated public easement to ensure access.
- Provide a mid-block pedestrian and bicycle pathway within a public easement between Parcel 8 and Parcel 7 connecting Executive Center Drive and Spicewood Springs (Min8' width). Specific location to be determined at time of site plan.
  - Please consult with Capital Metro regarding the need for additional mass transit (bus) stop(s) and Austin Transportation Department regarding any requirements of the "High Capacity Transit Stop"; provide the results of these consults.
  - Additional comments pending final recommendations of the TIA.

**RESPONSE: At time of site plan and at the owner's discretion, a pedestrian pathway within a public easement that is a minimum of 8' wide will be located from Executive Center Drive to Spicewood Springs Rd. on Parcel 7; the location of this public easement will be at the owner's discretion. The owner's representative has met with representatives of Capital Metro on site to review the possibility of the need for an additional bus stop. As a result, Capital Metro has requested that the possibility of an additional bus stop be included in the submittal on Parcel 4 along Wood Hollow Drive. The exhibits have been updated to show the possibility of this additional bus stop.**

- TR3. On-street parking will be determined on a per project basis at site plan review. Propose a master parking tracking table to keep associated with the PUD, to be updated with each site plan.

**RESPONSE:** The following master parking tracking table has been proposed and is set forth as part of Exhibit I (Streetscape) to be updated with each site plan:

Site Plan #	Parcel #	Structured Spaces #	Surface Spaces #	On-Street Spaces #	Total

TR4. **Additional Requirements for Mixed-Use: Requirement #1.)** The proposed cross section of Wood Hollow Drive does not meet the minimum standard requirements of 25-2, Subchapter E. Planting zones should be 7' minimum. Minimum requirements of Core Transit Corridor standards required for mixed-use projects within the Urban Roadway boundary (with trees 30' on center where possible).

**RESPONSE:** With regard to Wood Hollow Drive, the existing tree-lined condition from Spicewood Springs Road to Executive Center Drive truly make strict application of Subchapter E impossible unless a large number of these meaningful trees are removed. The existing sidewalk along Wood Hollow on the east side of the street is configured to minimize impacts to these large canopy trees. Therefore, the land use plan and streetscape plan that would be attached to the ordinance have provided multiple pedestrian routes – especially within and across the Creek Zone – for pedestrians to connect between the varied uses on the property.

The critical water quality zone and transition zones, along with CEF buffers associated with the creek, also limits the buildable areas upon which sidewalks and buildings can be placed both along the east side of Wood Hollow and the corner of Executive Center Drive bridging over the creek. The sidewalk placement for Parcel 2 is the most environmentally appropriate solution since the sidewalk itself – if not placed within the right-of-way – would be in the CEF buffer. These environmental features place significant constraints on designers to comply with important environment rules while addressing sidewalk/building placement standards.

The west side of Wood Hollow Drive is constrained by a steep grade rising abruptly behind the existing sidewalk to the west. A number of existing trees are sited on this steep slope. Both the steep slope condition and existing trees make strict compliance with Subchapter E impossible without significant grade cut and removal of these trees.

TR5. **Additional Requirements for Mixed-Use: Requirement #2** (Additional PUD Mixed Use requirements: This proposal is within the urban roadway boundary, therefore all sidewalks must comply with CoreTransit Corridors: Sidewalks and Building Placement; Section 2.2.2, Subchapter E, Chapter 25-2 (2.2.2(B)) Due to existing site constraints, please explore alternatives for the required Core Transit Corridor standard for the southern edge of Spicewood Springs. Please note that sidewalks along Mopac will require TxDOT approval.

**RESPONSE:** The grade change between the existing sidewalk on Spicewood Springs Road and the property in some places is more than twenty feet and within three-hundred feet of existing springs; therefore, it would not be practical or make environmental sense to require widening the sidewalk along Spicewood Springs Road between Hart Lane and Wood Hollow. In addition, the sidewalk area on Spicewood Springs Road between Wood Hollow and MoPac includes a CEF buffer and is within the critical water quality zone of the creek. The addition of a mid-block pedestrian pathway within a public easement on Parcel 7 (See Response to TR2) improves pedestrian connectivity and will encourage the use of the Heritage Trail that will meander through the site from Hart Lane to MoPac Expressway.

TR6. **Additional Requirements for Mixed-Use: Requirement #2.)** Internal and abutting (Hart and Spicewood Springs) roadways must meet Subchapter E, Core Transit Corridor requirements. To comply:

- Executive Center Drive – Min. 6' sidewalks requirement. Must provide public access/sidewalk easement for "Heritage Trail" and street trees are required in the planting zone at no greater than 30' on center, where possible.
- Wood Hollow - Min. 6' sidewalks requirement. Must provide public access/sidewalk easement where the sidewalk enters private property and street trees are required in the planting zone at no greater than 30' on center, where possible.

**RESPONSE:** A public access/sidewalk easement for the Heritage Trail will be provided as part of the parkland dedication requirement. By creating the unique Heritage Trail on the north side of Executive Center Drive, the Charrette designers specifically found a way to save existing trees and use this organizing feature of the development to encourage shaded pedestrian circulation for the public to enjoy, with a wide sidewalk meandering (in order to avoid trees) for approximately a quarter of a mile from the neighborhood park located at Hart Lane to the creek park located east of Wood Hollow. The Heritage Trail serves a critical role as a major pedestrian connection between these two parkland destinations. The applicant will be

modifying the design to increase the width of the Heritage Trail from eight feet to *ten* feet to further promote community activity and a range of compatible uses of the trail.

Depending on the City's desires, the sidewalk on Parcel 10 (the Neighborhood Park located on the south side of Executive Center Drive at Hart Lane) could be expanded. The remaining portion of the south side of Executive Center Drive located within the property has a new, continuous sidewalk six feet in width separated from the street with a new, seven-foot-wide planting zone located behind the curb (where an existing sidewalk currently exists).

Because of existing protected trees and topography, the existing sidewalk and planting zone on Wood Hollow will need to remain, except for that portion of Wood Hollow in the AO Creek Plan on Parcel 2, which will be deeded to the City for parkland - - at which time the City can add a sidewalk; however, please note that the the entire area adjacent to Wood Hollow on Parcel 2 within the AO Creek Plan is within the 150' CEF buffer.

Please see updated exhibits to Ordinance with the modifications described in response to TR2, TR4, TR5, and TR6.

## **TIER II REQUIREMENTS**

- TR7.       **4.)** Recommend inclusion of secure indoor bicycle parking for MF and Office developments at 10% of required parking.
- Include the "Heritage Trail" approximate location in the Land Use or Park exhibit or a new transportation exhibit. The cross section of Wood Hollow Drive does not meet the minimum standard requirements of 25-2, Subchapter E. Planting zones should be 7' minimum; please revise. Recommend upgrading min. requirements to Core Transit Corridor standards for roadways.
  - Additional comment pending TIA final recommendations.

**RESPONSE:** Indoor bicycle parking will be provided pursuant to current code at the time of site plan -- even if current code has changed; this is the type of future revision to the Code that would not disrupt the environmental and social balance that has been struck with the proposed redevelopment plan. With regard to Wood Hollow Drive, please see response to TR4 above.

## **DRAFT ORDINANCE COMMENTS**



**GENERAL PROVISIONS**

TR8. How will the shared parking be tracked? A reciprocal/off-site parking tracking table is recommended to be amended and tracked with the PUD.

**RESPONSE: Please see response to TR3 above.**

TR9. Remove “and valet” from the gated roadways/drives note (Exhibit E).

**RESPONSE: Done.**

TR10. Staff does not support Note #12. Off-street loading and delivery must be off-street. Recommend revising comment to note that off-street loading is permitted to use alternative sizing and number of spaces requirement; to be subject to approval by Staff at the time of site plan.

**RESPONSE: The Ordinance has been updated to revise this paragraph (which is now paragraph Exhibit F, Paragraph 10).**

TR11. Staff will support note #13 contingent upon it applying *only* to office, residential, and hotel. All other uses shall adhere to standard LDC, 25-6-477.

**RESPONSE: This note (which is now Exhibit F, Paragraph 12) has been revised accordingly.**

**Part 8:**

TR12. Recommend combining with Part 11 for a collective “Transportation” section.

**RESPONSE: At this point, we have left the sections as presented; we certainly can discuss further.**

TR13. Note #3: Pending TIA review and TR 4 and TR 22.

**RESPONSE: Understood.**

TR14. Note #4: Revise note – “...determined in consultation *and subject to approval* by the Development Services Department...”

**RESPONSE: Done. Please see revised Ordinance.**

TR15. Note #6/7: Add that these improvements are to be accessible and open to the public.

**RESPONSE: Done. Please see revised Ordinance; a parenthetical has been added as follows: "(that are publicly accessible)."**

**Part 11:**

TR16. Note #1: Revise "shared parking" to "cumulative" or "reciprocal."

**RESPONSE: Done. Please see revised Ordinance.**

**EXHIBIT C: LAND USE PLAN**

TR17. Note the proposed approximate location of the "Heritage Trail."

**RESPONSE: Exhibits to the Ordinance have been updated to show the proposed approximate location of the Heritage Trail.**

**EXHIBIT I (STREETSCAPE PLAN)**

TR18. Pedestrian "Heritage Trail": Remove current note and add that this is to be within a dedicated public easement if it meanders out of the right-of-way.

**RESPONSE: Exhibit I (Streetscape Plan) has been updated and a note has been added to specify that a dedicated public easement will be provided if the Heritage Trail is on the Property and not in the right-of-way.**

**GENERAL ZONING**

TR19. FYI - The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for Spicewood Springs Road. However per the Austin Transportation Department, no additional right of way will be required at this time [LDC, Sec. 25-6-51 and 25-6-55].

**RESPONSE: Understood.**

TR20. A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC, Sec. 25-6-142]. Comments will be provided in a separate memo.

**RESPONSE: Understood.**

TR21. Nadia Barrera, Urban Trails, Public Works Department and Nathan Wilkes, Bicycle Program, Austin Transportation Department may provide additional comments regarding bicycle and pedestrian connectivity per the Council Resolution No. 20130620-056.

**RESPONSE: Understood.**

TR22. Additional comments pending TIA review. Results will be provided via separate memorandum.

**RESPONSE: Understood.**

TR23. Existing Street Characteristics:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro
Loop 1/ Mopac	400'	380'	Freeway	Yes	No	Yes
Spicewood Springs	118'- 140'	82'	Arterial	Yes	No	No
Executive Center Drive	70'	30'	Collector	Yes	No	No
Wood Hollow Drive	70'-80'	40'	Collector	Yes	No	Yes
Hart Lane	70'	40'	Collector	Yes	Yes	Yes

## **Austin Transportation Dept. TIA Review – Scott James**

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See TIA Memorandum attached at the end of this report.

## **Public Works Bicycle Program Review – Nathan Wilkes**

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## **Austin Water Utility Review – Bradley Barron**

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Ph: 512-972-0078

Email: [Bradley.Barron@austinwater.com](mailto:Bradley.Barron@austinwater.com)

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and/or abandonments required by the proposed land uses. It is recommended that Service Extension Requests be submitted to the Austin Water Utility at the early stages of project planning. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility in compliance with Texas Commission of Environmental rules and regulations, the City's Utility Criteria Manual and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fees with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Typical water system operating pressures in the area are above 65 psi. Pressure reducing valves reducing the pressure to 65 psi (552 kPa) or less to water outlets in buildings shall be installed in accordance with the plumbing code.

All AWU infrastructure and appurtenances must meet all TCEQ separation criteria. Additionally AWU must have adequate accessibility to safely construct, maintain, and repair all public infrastructures. Rules & guidelines include:

1. A minimum separation distance of 5 feet from all other utilities (measured outside of pipe to outside of pipe) and AWU infrastructure;
2. A minimum separation distance of 5 feet from trees and must have root barrier systems installed when within 7.5 feet;
3. Water meters and cleanouts must be located in the right-of-way or public water and wastewater easements;
4. Easements AWU infrastructure shall be a minimum of 15 feet wide, or twice the depth of the main, measured from finished grade to pipe flow line, whichever is greater.

5. A minimum separation of 7.5 feet from center line of pipe to any obstruction is required for straddling line with a backhoe;
6. AWU infrastructure shall not be located under water quality or detention structures and should be separated horizontally to allow for maintenance without damaging structures or the AWU infrastructure.
7. The planning and design of circular Intersections or other geometric street features and their amenities shall include consideration for access, maintenance, protection, testing, cleaning, and operations of the AWU infrastructure as prescribed in the Utility Criteria Manual (UCM)
8. Building setbacks must provide ample space for the installation of private plumbing items such as sewer connections, customer shut off valves, pressure reducing valves, and back flow prevention devices in the instance where auxiliary water sources are provided.

## **P&ZD Zoning Review – Victoria Haase**

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### **ORDINANCE DOCUMENT**

1. Change the title of the ordinance to "Applicant's Draft Ordinance"

**RESPONSE: Done. Please see revised Ordinance.**

2. Remove the column numbering in the ordinance document.

**RESPONSE: Done. Please see revised Ordinance.**

3. In first paragraph of Ordinance,
  - Change "PUD" to Planned Unit Development;
  - Remove "PROJECT" completely;
  - Remove "COMBINING" – PUD's are not combining districts.

**RESPONSE: Done. Please see revised Ordinance.**

4. PART 1 – change the department name from Development Services Department to Planning and Zoning Department.

**RESPONSE: Done. Please see revised Ordinance.**

5. PART 2 – Remove the last sentence of this paragraph that refers to grandfathering.

**RESPONSE:** The process for designing the Austin Oaks redevelopment plan included a 3-month process that concluded with a 1-week Design Charrette, and then further refinements thereafter to focus on further reduction of building height and preservation of trees. The result is a complete package that integrates stakeholder interests, environmental superiority, and a pedestrian-oriented experience over a 31.4-acre site that is far superior to any similarly-sized site within NW Hills. Deleting this sentence would disrupt the balance that has been struck among numerous stakeholders and City rules and regulations. The suggestion that we delete this provision from the ordinance would leave the owner vulnerable to future changes in the code which would – again -- disrupt the balance that has been achieved.

6. PART 5, no. 1, definitions for H and K - STREETSCAPE" and "CREEK" should not be land use classifications. If the intent is to define these areas only, please remove the reference to a land use classification in the definition.

**RESPONSE:** Acknowledged.

7. PART 7, no. 2 – this is a restatement of current code and is not necessary to state in the PUD ordinance.

**RESPONSE:** Please see response to #5 above. For the ease of anyone who reviews the Ordinance and compares it with the plats, the goal is to amend and/or vacate existing plats so that lot lines on the plats will be consistent with configuration of the various Parcels on the Land Use Plan. Restating current code ensures that this process can be accomplished without any "gotcha" changes to the City's rules and regulations that would prevent such amendment and/or vacation of a plat.

8. PART 8, no. 4 –
- Replace "*graphic representations and are not exact.*" with "for illustration purposes only. "
  - Change "*Environmental departments*" with "Watershed Protection Departments."

**RESPONSE:** The second revision has been made. The first revision has not been made. The expectation from the Design Charrette was to generally locate structures on the land use plan so stakeholders would know what to expect generally, especially since the Tree Plan constricts the location of buildings. Please see revised Ordinance.

9. PART 10, no. 8 – please remove this item. Fee in lieu is no longer an option for affordable housing participation.

**RESPONSE: Done. Please see revised Ordinance.**

10. PART 11, no. 3 – this is a restatement of current code and is not necessary to state in the PUD ordinance.

**RESPONSE: ADA accessible routes and accessible parking will be provided pursuant to current code at the time of site plan -- even if current code has changed; this is the type of future revision to the Code that would not disrupt the environmental and social balance that has been struck with the proposed redevelopment plan.**

11. PART 12 - For each code section to be modified, please be specific about what aspect is being modified and why the modification is needed.

**RESPONSE: Done. Please see revised Ordinance and the following explanation:**

**Section 25-8-25 (Redevelopment Exception in Urban and Suburban Watersheds) shall apply to the Property overall, and not on a Parcel-by-Parcel basis and, therefore, Section 25-8-25(B)(1) and (3) do not apply to the Property: Nevertheless, the total amount of impervious cover on the Property will be less than the existing amount of impervious cover on the Property and the development will generate less than 30,086 vehicle trips a day that would otherwise be allowed if this property was redeveloped on a Parcel-By-Parcel basis. Instead, the trips will be restricted to the number set forth in the Traffic Impact Analysis submitted in conjunction with this Ordinance. Because 25-8-25 would be applied on an overall Property basis, City Code Subchapter A of Chapter 25-8 would not apply to the Property.**

**Section 2.4.3 (Buffering) of the Environmental Criteria Manual is modified (as to Parcels 1 and 4 only) to limit required buffering in order to preserve trees and to provide a minimum 4-foot wide planting strips located between the street and site features requiring buffering: the environmental site constraints on the Property make compliance with the buffering requirements difficult, including (i) a limited width of permeable landscape areas between the street and buildings, and (ii) compact development areas that are connected and oriented to the streets, thus promoting a combination of widely distributed preserved trees within an urban character, with the vast majority of vehicle parking located in structured parking garages. Moreover, in the context of the overall Property, the amount of areas that will remain open space or natural area far exceeds Code requirements.**

**Section 25-6-477 (Bicycle Parking) for office, residential, and hotel uses: the requirement that a minimum of 50% of the bicycle parking shall be located within 50 feet of any principal building entrance has been modified to 20% in order to (i) further reduce impervious cover, and (ii) retain the bicycle parking in nearby and conveniently shaded structured garages.**

**Section 25-2-1008(A)(1) shall not apply to development within the PUD: because 8.49 acres of land will be dedicated as parkland and public space and will remain undisturbed, there will be less area on each redeveloped parcel for undisturbed natural areas. The requirement should be evaluated in the context of the entire Property; in doing so, the owner has more than exceeded the requirement.**

**Compatibility provisions (Section 25-2-1062, 25-2-106, 25-2-1065): The process for designing the Austin Oaks redevelopment plan included a 3-month process that concluded with a 1-week Design Charrette, and then further refinements thereafter to focus on further reduction of height, location of buildings, and preservation of trees. The result is a complete package that includes stakeholder interests, environmental superiority, and a pedestrian experience over a 31.4-acre site that is far superior to any similarly-sized site within NW Hills. Moreover, all SF-zoned property is across a major street and at least 200' away from any structure. The height on the Property has been concentrated at the lower points along MoPac Expressway, and the single-family residences across Spicewood Springs Rd. that would trigger compatibility sit within a CEF buffer completely hidden by a tree canopy that benefits from the natural springs.**

**Subchapter E (Design Standard and Mixed Use) Sections 2.2, 2.3, 2.4 3.2 (shall not apply to the Hotel Parcel 6 or the Multifamily Parcel 9), and Article 4 (Mixed Use): Please see responses to TR2, TR4, TR5, and TR6.**

**Section 25-10-130 (Commercial Sign District Regulations): For sign purposes, all buildings on the site will be treated as part of the commercial sign district. In addition, to the requirements set forth in 25-10-130, each building will also be allowed up to two projecting signs that extend from the building façade. Furthermore, the height and size of freestanding subdivision signs has been modified to accommodate the projects scope. And all existing commercial flag poles and flags shall be permitted to be continued, maintained, repaired and replaced.**

**Section 25-10-154 (Subdivision Identification Sign): Although many subdivision identification signs would be permitted among the 13 lots (two per each major entry), the draft Ordinance filed with Update #4 limits the number of subdivision signs to a total of eight.**



12. PART 12 - add Compatibility (LDC 25-2-1062, 1063, 1065) to the list of code modifications and provide the detail requested in comment 11, above.

**RESPONSE:** Done. Please see revised Ordinance and response to 11 above.

13. PART 12 - add Subchapter E (Design Standards and Mixed Use) and provide the detail requested in comment 11, above.

**RESPONSE:** Done. Please see revised Ordinance and response to 11 above.

14. PART 12 – add Commercial Sign District Regulations (LDC 25-10-130 / 25-10) and provide detail requested in comment 11, above.

**RESPONSE:** Please see revised Ordinance and response to 11 above.

15. Label Exhibits C, G, H, I, J, K with the case number at the lower, right-hand corner of the diagram/plan.

**RESPONSE:** Done. Please see revised Exhibits to the Ordinance.

16. Exhibit C – Provide your calculations for determining development bonuses pursuant to LDC 25-2, Division 5, Subpart B, Section 1.3.3 – Baseline for Determining Development Bonuses.

**RESPONSE:** Using "the regulations of the base zoning district" and the "applicable site development standards", the baseline calculation is as follows:

TRACT	NAME	ACRES	SQUARE FT	ZONING	MAX FAR	MAX HEIGHT	MAX BLDG COVER	MAX IMPER COVER	BASELINE SQ FOOTAGE
1	Hubbard	2.26	98,582	LR	.5:1	40' or 3 stories	50%	80%	49291.00
2	Buchanan	2.37	103,156	LR	.5:1	40' or 3 stories	50%	80%	51578.00
3	Livingston	3.26	141,964	GR	1:1	60'	75%	90%	141964.00
4	Travis	3.1	134,981	GR	1:1	60'	75%	90%	134981.00
5	Whitney	2.55	111,118	GR	1:1	60'	75%	90%	111118.00
6	Medina	1.95	84,805	GR	1:1	60'	75%	90%	84805.00
7		1.78	77,470	GR	1:1	60'	75%	90%	77470.00
8	Cross	2.75	119,915	LO	.7:1	40' or 3 stories	50%	70%	83940.50
9	Colorado	2.46	106,993	LO	.7:1	40' or 3 stories	50%	70%	74895.10
10	Proctor	2.7	124,489	LO	.7:1	40' or 3 stories	50%	70%	87142.30
11	Benbrook	1.62	80,586	LO	.7:1	40' or 3 stories	50%	70%	56410.20
12	meredith	2.38	103,828	LO	.7:1	40' or 3 stories	50%	70%	72679.60
13	Bridgeport	1.83	79,787	LO	.7:1	40' or 3 stories	50%	70%	55850.90
								TOTAL	1082125.60

This baseline calculation is different from the "Code Compliant" designs that have been done by various professionals and which range from 890,000 square feet to 980,000 square feet due to topography and other constraints specific to this site. However, the purpose of the

statutory baseline analysis was to treat each applicant equitably and not to require parties to engage in a full civil engineering exercise.

17. Exhibit C – LUP - Provide a legend.

**RESPONSE: Ok.**

18. Exhibit E - Review the proposed permitted use table with Staff.

**RESPONSE: Ok.**

19. Exhibit E - Provide an index defining "N" and "P".

**RESPONSE: Done. Please see revised Ordinance; a note has been added at the bottom of the Permitted Use Table.**

20. Exhibit F – add a column for the maximum number of floors associated with the MSL heights stated for each building type.

**RESPONSE: Instead of a column, Exhibit F was revised to include the maximum number of stories, and the height information was also placed on Exhibit C (Land Use Plan).**

21. Exhibit F, no. 3 – this is a restatement of current code and is not necessary to state in the PUD ordinance.

**RESPONSE: Removing this note puts at risk the balanced approach that the redevelopment plan represents and unfairly exposes the owner to a "gotcha" at a later date. Instead, the owner has accepted -- without variance -- City Code Section 25-2-531 (*Height Limit Exceptions*); there is no reason to play a "gotcha" game by changing the City rules at a later date. This provision needs to remain.**

22. Exhibit F, no. 4 – this is a restatement of current code and is not necessary to state in the PUD ordinance.

**RESPONSE: Removing this note puts at risk the balanced approach that the redevelopment plan represents and unfairly exposes the owner to a "gotcha" at a later date. 25-8-62(c) (*Net Site Area*) is the current applicable provision for the calculation of impervious cover. If the City**

**changes this Code provision at a later date it will jeopardize the balance that has been struck with the redevelopment plan. This provision needs to remain.**

23. Exhibit F, no.16 - Add this to the list of code modifications in Part 12 of the ordinance and provide specifics about why the modification is being requested.

**RESPONSE: Done. Please see revised Ordinance and response to 11 above.**

24. Exhibit G – add “Note 1” to Ordinance Part 8, no.1 in addition to keeping the note on the exhibit as well.

**RESPONSE: Done. Please see the revised Ordinance.**

25. Has Capitol Metro been consulted in the possibility of partnering for transit improvements on-site?

**RESPONSE: Yes, please see response to TR2 above. At the suggestion of Capital Metro, another possible bus stop has been added to Parcel 4 along Wood Hollow Drive.**

## **P&ZD Comprehensive Planning Review – Kathleen Fox**

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This zoning case is located on a 31.4 acre site located on the south side of Spicewood Springs Road, on both sides of Wood Hollow Drive, and adjacent to Mopac Expressway frontage road, which is to the east. The property is not located within the boundaries of a neighborhood planning area. The site contains an office complex and the developer is proposing a Planned Unit Development mixed use project, which would include commercial and residential elements including office buildings, a hotel, multi-family apartments (including affordable housing units), retail and restaurant uses, a 2 acre park, additional greenspace, and pedestrian walkways, a trail and bike lanes. The buildings on the site would range in height from one to seven stories tall. The tallest buildings would front the MoPac Expressway frontage road, while shorter buildings and the park would be located across the street single family houses, which are located to the west and north. Pedestrian-oriented uses are also proposed on the ground floor of the commercial buildings.

### **Imagine Austin**

This project is located within the boundaries of '**Neighborhood Center**', as identified on the Imagine Austin's Growth Concept Map (the Map). The Map illustrates the desired

43

manner to accommodate new residents, jobs, open space, and transportation infrastructure over the next 30 years, and is intended to promote a compact and connected city, infill and redevelopment. Neighborhood Centers are defined as, *"The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods. Neighborhood centers range in size between approximately 5,000-10,000 people and 2,500-7,000 jobs."* (pgs. 105 – 106). The area along Mopac and Far West Boulevard is also located within the boundaries of a Neighborhood Center, although that area is larger in area than this proposed project area.

The following IACP policies are also relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a **compact and connected city** in line with the growth concept map.
- **LUT P3.** Promote development in **compact centers**, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities **that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.**
- **HN P10.** Create complete neighborhoods across Austin that have a **mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.**
- **HN P11.** Protect neighborhood character by directing growth to areas of change and ensuring context sensitive infill in such locations as designated redevelopment areas, corridors, and infill sites.

## Analysis and Conclusion

The Imagine Austin Growth Concept Map identifies this area as a Neighborhood Center, which supports compact and connected mixed use and infill redevelopment. Reviewing the revised scope of this project, the height and density of submittal Number 3, which was formulated during a charrette process between the developer and neighborhood, appears to be scaled as Neighborhood Center based on the height and proposed density, which appears an appropriate scale along a major highway, as opposed to two previous submittals for this project, which once called for a 17 story building. This project also meets half of the eight Imagine Austin priority programs, which are key policies and actions, which are multiple building blocks grouped together to make it easier to implement the plan. This proposed mixed use project appears to support Priority Program Number 1, [**Investing in a compact and connected Austin**] by including residential, retail, office, park/recreational within a walkable center. The project also supports Priority Program Number 2 and 4 [**#2 Sustainably manager our water resources, and #4 --Use green infrastructure to protect environmentally sensitive areas and integrate nature into the city**], by preserving a large number of heritage trees, enhancing the watershed and adding stream restoration, reducing the existing impervious surface coverage, installing a new park and greenspace areas, and landscaping the site with native plants and trees. Finally, by adding affordable housing units (12 units), the project is supported by Priority Program Number 6, [**Develop and maintain household affordability throughout Austin.**]

Based on the scale of this project, which appears to for a Neighborhood Center (as defined above) located along a major highway; providing a true mixed and walkable project where people can live, work and play (per the Imagine Austin listed policies above); and supporting four of the eight priority programs to implement the policies and vision of Imagine Austin, this project appears to be supported by the plan.

**RESPONSE: Thank you for your analysis and comments. In addition to the above-referenced priority programs, given the amount of parkland and open space that will be provided, it appears that the redevelopment plan also meets Priority Program Number 7 [Create a Healthy Austin Program].**

## Austin Independent School District – Beth Wilson

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See Education Impact Statement (EIS) attached at the end of this report.