



MEMORANDUM

TO: Marisa Perales, Chair, and Members of the Environmental Commission

FROM: Chuck Lesniak, Environmental Officer
Watershed Protection Department

DATE: September 2, 2016

SUBJECT: Austin Oaks Planned Unit Development – C814-2014-0120

This summary is being provided to the Environmental Commission as a supplement to the Planning and Zoning Department analysis for Austin Oaks Planned Unit Development (PUD). This memo provides an overview of the property's environmental features, the requested modifications to environmental code requirements, and the elements of the project that provide environmental superiority. Staff finds that the proposed development is environmentally superior to what could be built without the PUD.

Description of Property

Austin Oaks PUD consists of approximately 31.4 acres of land located in northwest Austin, at the intersection of Spicewood Springs Road and Mopac Expressway (see Attachment A – Location Map). The property is comprised of 13 parcels, which are currently zoned limited office (LO), neighborhood commercial (LR), and community commercial (GR). The site is developed with 12 office buildings and associated surface parking lots.

Austin Oaks PUD is located in the Shoal Creek Watershed, which is classified as Urban and is within the Desired Development Zone. The PUD is within the north Edwards Aquifer recharge zone. The property contains two creeks: Foster Branch, which flows west to east across the northeast corner of the PUD, and an unnamed tributary to Foster Branch, which flows south to north just east of Wood Hollow Drive (see Attachment B – Critical Water Quality Zone and Floodplain).¹

¹ Per Land Development Code Section 25-8-91, waterways within an Urban Watershed are not classified. However, per Section 25-8-92, a critical water quality zone (CWQZ) is established along all waterways with a drainage area of at least 64 acres. The boundaries of the CWQZ coincide with the boundaries of the 100-year floodplain calculated under fully developed conditions, provided that the boundary is not less than 50 feet and not more than 400 feet from the centerline of the waterway.

Existing Topography/Soil Characteristics/Vegetation

The site's topography generally slopes from the southern property boundary toward Spicewood Springs Road and Foster Branch. Elevations range from approximately 712 to 818 feet above mean sea level. Slopes range between 0 and 15 percent on the majority of the property but increase to over 35 percent in some locations along the creeks and the Spicewood Springs Road frontage. The property has stony, clayey soils.

The property contains a large number of heritage and protected trees, including 63 heritage live oaks, three heritage cedar elms, two heritage Spanish oaks, and two heritage pecans. Most of the heritage and protected trees are located within the surface parking lots, but there are also groves of trees along the creek corridor. Predominant tree species on the site include live oak, cedar elm, and hackberry.

Critical Environmental Features

An Environmental Resource Inventory (ERI) was prepared for the project site by Horizon Environmental Services in August 2015. The ERI identified six critical environmental features (CEFs) within the PUD site: four wetlands, a seep, and a canyon rimrock (see Attachment D – Applicant's Environmental Resource Inventory). The PUD will comply with the current code requirement to provide a 150-foot buffer zone for CEFs; however, some development will be allowed to remain within the CEF buffers pursuant to Land Development Code Section 25-8-25, *Redevelopment Exception in Urban and Suburban Watersheds* ("the redevelopment exception"). See below for a discussion of the redevelopment exception.

Description of Project

The proposed project contains approximately 20.4 acres of mixed use development, including office, retail, restaurant, hotel, and multifamily residential uses, and 11 acres of parks and open space.

Requested Environmental Code Modifications

Austin Oaks PUD is subject to the Watershed Protection Ordinance, the City's current environmental regulations. Since the site is currently developed, the applicant has chosen to comply with Section 25-8-25, *Redevelopment Exception in Urban and Suburban Watersheds*. The purpose of the redevelopment exception is to provide an option for redevelopment of older sites that may not meet all of the requirements of Chapter 25-8(A). To comply with the redevelopment exception, a project must meet nine conditions, including providing water quality treatment, not increasing the amount of impervious cover on the site, and not increasing non-compliance with critical water quality zone (CWQZ) or CEF requirements. If the conditions for the redevelopment exception are met, the other requirements of Chapter 25-8(A) do not apply to the project.

The applicant has chosen to use the redevelopment exception for all development within the Austin Oaks PUD. The baseline for evaluating the PUD's environmental superiority is therefore the requirements of Section 25-8-25, rather than all of Chapter 25-8(A).

The proposed PUD includes multiple modifications to code requirements. Most of the proposed modifications change current code standards, which is typical for a PUD. However, the applicant

is also proposing to memorialize certain code requirements. That means the PUD is not proposing to change current requirements, but it is specifying that current requirements will continue to apply to the property even if the code changes in the future.

The following summarizes the proposed modifications to environmental requirements:

- **25-2-1008(A), *Irrigation Requirements*** – Section 25-2-1008(A) is modified to apply to the PUD overall rather than on a parcel-by-parcel basis.
- **Environmental Criteria Manual (ECM) Section 2.4.3, *Buffering*** – The buffering requirements are modified to allow plants (excluding trees) used as buffering elements on Parcels 1 and 4 to be planted in a permeable landscape area at least three feet wide, rather than eight feet wide as currently required.
- **25-7-32, *Director Authorized to Require Erosion Hazard Zone Analysis*** – An analysis was performed and the erosion hazard zone was identified with the PUD application. Additional analysis shall not be required for any future development applications.
- **25-7-61(A)(5), *Criteria for Approval of Development Applications, and Drainage Criteria Manual 1.2.2.A and D, General*** – The analysis of additional adverse flooding impact shall be based on the PUD boundaries rather than parcel boundaries.
- **25-8-25(B)(1) and (3), *Redevelopment Exception in Urban and Suburban Watersheds*** – Sections 25-8-25(B)(1) and (3) (impervious cover and trip limits) shall apply to the PUD overall rather than on a parcel-by-parcel basis.
- **25-8-641(B), *Heritage Tree Removal Prohibited*** – Thirteen heritage trees identified on the applicant's Exhibit F – Tree Plan may be removed without an administrative or land use commission variance as required by current code.
- **ECM Section 3.3.2.A, *General Tree Survey Standards*** – The tree survey submitted with the PUD, dated November 22, 2013, may be used for 25 years instead of five years as currently required. Applications filed after November 22, 2038 will require a new tree survey.
- **ECM Section 3.5.4, *Mitigation Measures*** – Tree mitigation credit shall be granted for removing existing impervious cover from the critical root zone of preserved trees.
- The PUD will memorialize the following code requirements:
 - **25-8-25, *Redevelopment Exception in Urban and Suburban Watersheds***, except as modified above;
 - Impervious cover calculations exclude multi-use trails open to the public and located on public land or in a public easement, pursuant to **25-8-63(C)(2), *Impervious Cover Calculations***;
 - Hard surface trails, pedestrian bridges, and utility lines are allowed in the CWQZ pursuant to **25-8-261, *Critical Water Quality Zone Development* and 25-8-262, *Critical Water Quality Zone Street Crossings***;
 - Water quality facilities may be covered, decked, or buried (and landscaped) pursuant to **ECM Section 1.6.2.E, *Subsurface Ponds***;

- Green water quality controls are allowed pursuant to **ECM Section 1.6.7, *Green Storm Water Quality Infrastructure***.

Proposed Environmental Superiority Elements

The project is proposing to provide the following environmental superiority elements (please see the applicant's Exhibit D – Tier 1 and Tier 2 Compliance Summary for additional details):

1. The PUD will provide at least 11.01 acres of open space, which is 41% higher than the 7.81 acres required based on the proposed land uses.
2. The PUD will exceed the minimum code requirements for landscaping. The PUD will exceed the requirements related to street yard trees as follows:
 - a. 75% of planted street yard trees shall be from the Preferred Plant List, rather than 60%;
 - b. Planted trees shall be no less than eight feet in initial height and no less than three inch caliper, rather than six feet in height and 1.5 inch caliper.
 - c. No more than 30 percent of planted trees will be from the same genus or species, rather than 50 percent.

In addition, the PUD will require that a minimum of 75 percent of plant materials, excluding turf and plantings within dedicated parkland, be native to Central Texas or included in the Grow Green Native and Adapted Landscape Plants guide. The PUD will also prepare and implement an Integrated Pest Management plan for the property.

3. The PUD will preserve a minimum of 75 percent of all caliper inches of heritage and protected trees (calculated together) and a minimum of 75 percent of all native caliper inches (including trees one inch in diameter at breast height or larger).
4. The PUD will limit impervious cover to 58 percent across the entire property, which is eight percent below the maximum that would otherwise be allowed by code. Under the redevelopment exception, the project could maintain but not increase the amount of impervious cover on the site, which is currently 66 percent. The project is proposing to decreasing impervious cover from 66 percent to 58 percent. In addition, the project is limiting impervious cover to 50 percent within 300 feet of Spicewood Springs.
5. The PUD will provide superior flood mitigation by providing a minimum of 20,000 cubic feet of additional on-site flood detention. The detention will be provided by either laying back the west creek bank, as shown on the applicant's Exhibit J – Creek Plan, or creating a non-structural, vegetated detention area along the east bank.
6. The PUD will restore riparian vegetation in degraded CWQZ and CEF buffer areas. The project shall remove approximately 1.65 acres of existing, non-compliant impervious cover from the CWQZ and CEF buffers. The areas shall be restored to "good" condition based on the functional assessment methodology in Appendix X of the ECM.
7. The PUD will improve the degraded riparian area by laying back the west creek bank on Parcels 4 and 5, as shown on the applicant's Exhibit J – Creek Plan. The project will create an inundation area that will also be restored to "good" condition based on the functional assessment methodology in Appendix X of the ECM.

8. The PUD will provide a 40 percent increase in undeveloped CWQZ and a 33 percent increase in undeveloped CEF buffers. The project will remove approximately 1.65 acres of existing impervious cover from the CWQZ and CEF buffers, which would be allowed to remain under the redevelopment exception. This results in a 95 percent reduction in impervious cover within the CWQZ, a 58 percent reduction in impervious cover within the canyon rimrock/seep buffer, and a 74 percent reduction in impervious cover within the wetland buffers.²

Determination

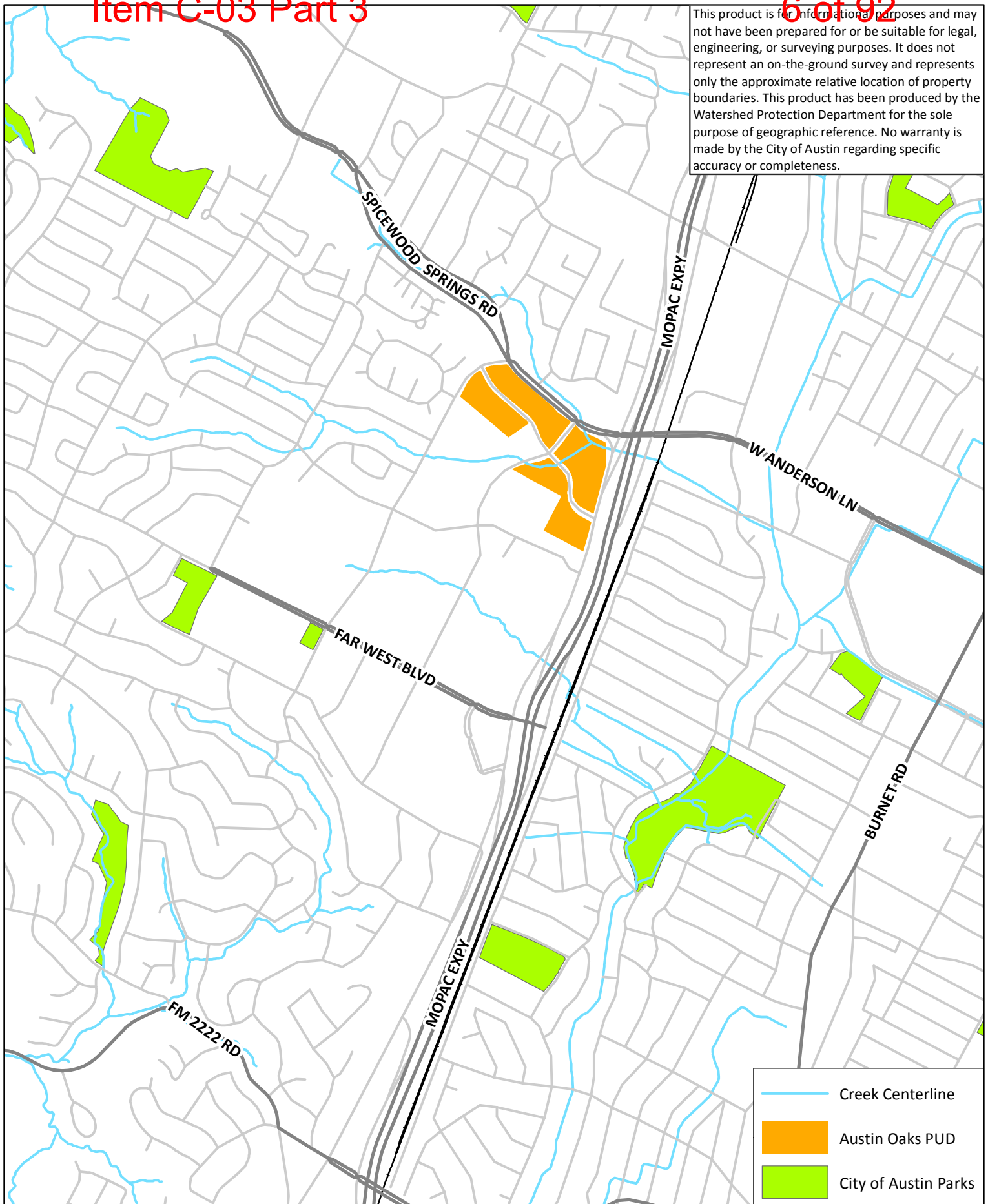
Based on the superiority elements described above, staff finds that the proposed development is environmentally superior to what could be built without the PUD.

Attachments

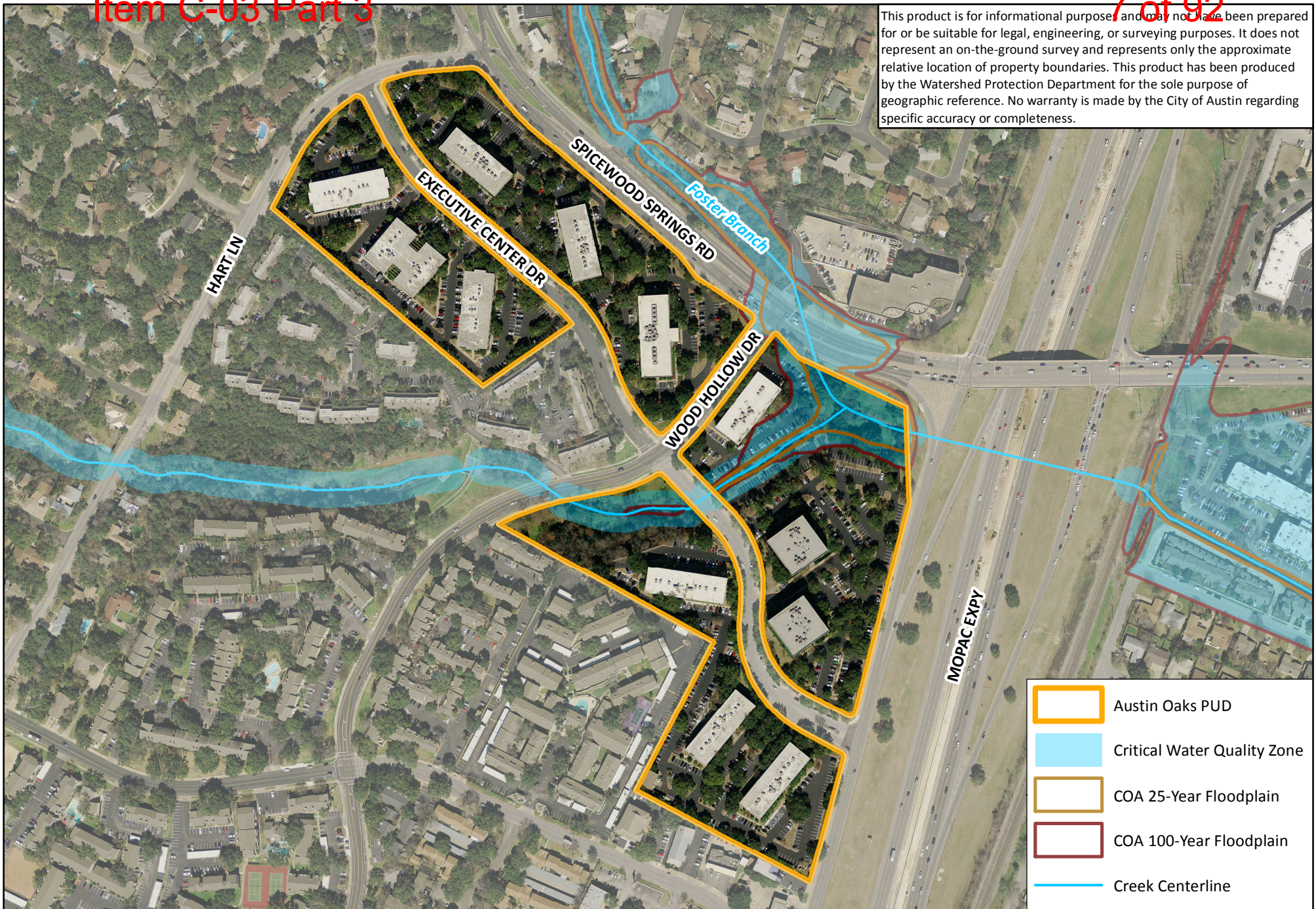
- A Location Map
- B Critical Water Quality Zone and Floodplain
- C Site Photos
- D Applicant's Environmental Resource Inventory

² In Exhibit D – Tier 1 and Tier 2 Compliance Summary, the applicant states that five additional superiority elements – items a, i, j, p, and u – are also being met. Staff does not agree with the applicant's analysis, and these five items were not considered in staff's review for environmental superiority.

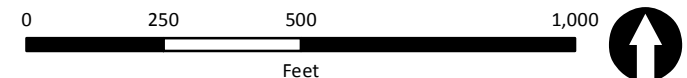
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. This product has been produced by the Watershed Protection Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



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Attachment B
Austin Oaks PUD - Critical Water Quality Zone and Floodplain



Attachment C
Austin Oaks PUD Site Photos



View of creek and parking lots within the CWQZ and CEF buffer



Portion of west creek bank area to be restored



Canyon rimrock CEF



Canyon rimrock CEF



Wetland CEF



Wetland CEF

Environmental Resource Inventory

For the City of Austin

Relating to the Land Development Code (LDC) Section 25-8, Title 30-5, ECM 1.3.0 & 1.10.0
Effective October 28, 2013

1. SITE/PROJECT NAME: Austin Oaks Property
2. COUNTY APPRAISAL DISTRICT PROPERTY ID (#'s): _____
3. ADDRESS/LOCATION OF PROJECT: Spicewood Springs Road and MOPAC
4. WATERSHED: Shoal Creek Watershed
5. THIS SITE IS WITHIN THE (Check all that apply):
Edwards Aquifer Recharge Zone* (See note below)..... ☒ YES ☐ NO
Edwards Aquifer Contributing Zone* ☐ YES ☒ NO
Edwards Aquifer 1500-ft Verification Zone* ☐ YES ☒ NO
Barton Springs Zone* ☐ YES ☒ NO
**(as defined by the City of Austin – LDC 25-8-2)*

Note: If the property is over the Edwards Aquifer Recharge zone, the Hydrogeologic Report and karst surveys must be completed and signed by a Professional Geoscientist Licensed in the State of Texas.

6. DOES THIS PROJECT PROPOSE FLOODPLAIN MODIFICATION?... ☐ YES** ☒ NO
If yes, then check all that apply:
☐ (1) The floodplain modifications proposed are necessary to protect the public health and safety;
☐ (2) The floodplain modifications proposed would provide a significant, demonstrable environmental benefit, as determined by a **functional assessment** of floodplain health as prescribed by the Environmental Criteria Manual, or
☐ (3) The floodplain modifications proposed are necessary for development allowed in the critical water **quality zone under Section 25-8-261 or 25-8-262 of the LDC.**
☐ (4) The floodplain modifications proposed are outside of the Critical Water Quality Zone in an area determined to be in poor or fair condition by a **functional assessment** of floodplain health.

**** If yes, then a functional assessment must be completed and attached to the ERI (see Section 1.7 and Appendix X in the Environmental Criteria Manual for forms and guidance) unless conditions 1 or 3 above apply.**

7. IF THE SITE IS WITHIN AN URBAN OR SUBURBAN WATERSHED, DOES THIS PROJECT PROPOSE A UTILITY LINE PARALLEL TO AND WITHIN THE CRITICAL WATER QUALITY ZONE?..... ☐ YES*** ☐ NO

*****If yes, then riparian restoration is required by Section 25-8-261(E) of the LDC and a functional assessment must be completed and attached to the ERI (see Section 1.5 and Appendix X in the Environmental Criteria Manual for forms and guidance).**

8. There is a total of 6 (#'s) Critical Environmental Feature(s)(CEFs) on or within 150 feet of the project site. If CEF(s) are present, attach a detailed **DESCRIPTION** of the CEF(s), color **PHOTOGRAPHS**, the **CEF WORKSHEET** and provide **DESCRIPTIONS** of the proposed CEF buffer(s) and/or wetland mitigation. Provide the number of each type of CEFs on or within 150 feet of the site (Please provide the number of CEFs):

1 (#'s) Spring(s)/Seep(s) 0 (#'s) Point Recharge Feature(s) 0 (#'s) Bluff(s)
1 (#'s) Canyon Rimrock(s) 4 (#'s) Wetland(s)

Note: Standard buffers for CEFs are 150 feet, with a maximum of 300 feet for point recharge features. Except for wetlands, if the standard buffer is not provided, you must provide a written request for an administrative variance from Section 25-8-281(C)(1) and provide written findings of fact to support your request. Request forms for administrative variances from requirements stated in LDC 25-8-281 are available from Watershed Protection Department.

9. The following site maps are attached at the end of this report *(Check all that apply and provide):*

All ERI reports must include:

- ☒ **Site Specific Geologic Map with 2-ft Topography**
- ☒ **Historic Aerial Photo of the Site**
- ☒ **Site Soil Map**
- ☒ **Critical Environmental Features and Well Location Map on current Aerial Photo with 2-ft Topography**

Only if present on site (Maps can be combined):

- ☒ **Edwards Aquifer Recharge Zone with the 1500-ft Verification Zone**
(Only if site is over or within 1500 feet the recharge zone)
- ☐ **Edwards Aquifer Contributing Zone**
- ☐ **Water Quality Transition Zone (WQTZ)**
- ☒ **Critical Water Quality Zone (CWQZ)**
- ☐ **City of Austin Fully Developed Floodplains for all water courses with up to 64-acres of drainage**

10. **HYDROGEOLOGIC REPORT** – Provide a description of site soils, topography, and site specific geology below *(Attach additional sheets if needed):*

Surface Soils on the project site is summarized in the table below and uses the SCS Hydrologic Soil Groups*. If there is more than one soil unit on the project site, show each soil unit on the site soils map.

Soil Series Unit Names, Infiltration Characteristics & Thickness			*Soil Hydrologic Groups Definitions (<i>Abbreviated</i>)
Soil Series Unit Name & Subgroup**	Group*	Thickness (feet)	
Tarrant soils and Urban land, 0 to 2 percent slopes, (TeA)	B	0.3 to 1.2	<p>A. Soils having a <u>high</u> infiltration rate when thoroughly wetted.</p> <p>B. Soils having a <u>moderate</u> infiltration rate when thoroughly wetted.</p> <p>C. Soils having a <u>slow</u> infiltration rate when thoroughly wetted.</p> <p>D. Soils having a <u>very slow</u> infiltration rate when thoroughly wetted.</p> <p>**Subgroup Classification – See <u>Classification of Soil Series</u> Table in County Soil Survey.</p>
Tarrant soils and Urban land, 5 to 18 percent slopes, (TeE)	B	0.3 to 1.2	
Volente soils and Urban land, 1 to 8 percent slopes, (VuD)	C	0.2 to 4.6	

Description of Site Topography and Drainage *(Attach additional sheets if needed):*

Topographically, the site is approximately 700 feet above mean sea level (USGS, 1988). Drainage on the subject site occurs primarily by overland sheet flow in a west-to-east direction, towards Foster Branch of Shoal Creek.

List surface geologic units below:

Geologic Units Exposed at Surface		
Group	Formation	Member
Fredericksburg Group	Undivided (Kfr)	N/A
Fredericksburg Group	Edwards Limestone (Ked)	N/A

Brief description of site geology *(Attach additional sheets if needed):*

The subject site is underlain by Fredericksburg Group, undivided (Kfr) and Edwards Limestone (Ked) (UT-BEG, 1995).

The Fredericksburg Group is an undivided mixture of Edwards Limestone (Ked), Comanche Peak Limestone (Kc), Keys Valley Marl (Kkv), Cedar Park Limestone (Kcp), and Bee Cave Marl (Kbc).

The Edwards Limestone is a thinly to massively bedded, hard to soft, cherty, fossiliferous, fine-grained limestone and dolomite that commonly have red clay and calcite associated with solution features, such as caves and collapsed zones. The Edwards Limestone is known to form caves and voids.

Wells— Identify all recorded and unrecorded wells on site (test holes, monitoring, water, oil, unplugged, capped and/or abandoned wells, etc.):

There are 0 (#) wells present on the project site and the locations are shown and labeled

0 (#s) The wells are not in use and have been properly abandoned.

0 (#s) The wells are not in use and will be properly abandoned.

0 (#s) The wells are in use and comply with 16 TAC Chapter 76.

There are 2 (#s) wells that are off-site and within 150 feet of this site.

11. THE VEGETATION REPORT – Provide the information requested below:

Brief description of site plant communities (Attach additional sheets if needed):

The subject site is situated within the Blackland Prairie vegetational area of Texas (Gould, 1975).

There is woodland community on site ☒ YES ☐ NO (Check one).

If yes, list the dominant species below:

Woodland species	
Common Name	Scientific Name
plateau live oak	<i>Quercus fusiformis</i>
hackberry	<i>Celtis laevigata</i>
cedar elm	<i>Ulmus crassifolia</i>
Chinese tallow	<i>Triadica sebifera</i>

There is grassland/prairie/savanna on site ☐ YES ☒ NO (Check one).

If yes, list the dominant species below:

Grassland/prairie/savanna species	
Common Name	Scientific Name

There is hydrophytic vegetation on site ☒ YES ☐ NO (Check one).

If yes, list the dominant species in table below (next page):

Hydrophytic plant species		
Common Name	Scientific Name	Wetland Indicator Status
black willow	<i>Salix nigra</i>	FACW
common spikerush	<i>Eleocharis palustris</i>	OBL
common rush	<i>Juncus effusus</i>	OBL

A tree survey of all trees with a diameter of at least eight inches measured four and one-half feet above natural grade level has been completed on the site.

☐ YES ☒ NO (Check one).

12. WASTEWATER REPORT – Provide the information requested below.

Wastewater for the site will be treated by (Check of that Apply):

- ☐ On-site system(s)
☒ City of Austin Centralized sewage collection system
☐ Other Centralized collection system

Note: All sites that receive water or wastewater service from the Austin Water Utility must comply with Chapter 15-12 of Austin City Code and wells must be registered with the City of Austin

The site sewage collection system is designed and will be constructed to in accordance to all State, County and City standard specifications.

☒ YES ☐ NO (Check one).

Calculations of the size of the drainfield or wastewater irrigation area(s) are attached at the end of this report or shown on the site plan.

☐ YES ☐ NO ☒ Not Applicable (Check one).

Wastewater lines are proposed within the Critical Water Quality Zone?

☐ YES ☒ NO (Check one). If yes, then provide justification below:

Is the project site is over the Edwards Aquifer?

☒ YES ☐ NO (Check one).

If yes, then describe the wastewater disposal systems proposed for the site, its treatment level and effects on receiving watercourses or the Edwards Aquifer.

City of Austin already supplies wastewater disposal for the site.

13. One (1) hard copy and one (1) electronic copy of the completed assessment have been provided.

Date(s) ERI Field Assessment was performed: 7-25-2014 6-14-2015
Date(s)

My signature certifies that to the best of my knowledge, the responses on this form accurately reflect all information requested.

James Killian, PG

512-328-2430

Print Name

Telephone

Signature

james_killian@horizon-esi.com

Email Address

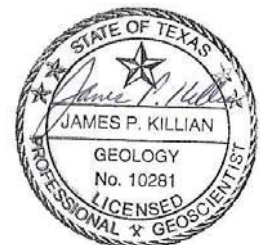
Horizon Environmental Services, Inc.

August 3, 2015

Name of Company

Date

For project sites within the Edwards Aquifer Recharge Zone, my signature and seal also certifies that I am a licensed Professional Geoscientist in the State of Texas as defined by ECM 1.12.3(A).



City of Austin Environmental Resource Inventory - Critical Environmental Feature Worksheet

5	Primary Contact Name:	Jon Ruff
6	Phone Number:	
7	Prepared By:	Greg Sherrod
8	Email Address:	gsherrod@horizon-esi.com

1	Project Name:	Austin Oaks Property
2	Project Address:	Spicewood Springs Road and MOPAC
3	Site Visit Date:	7-25-2014
4	Environmental Resource Inventory Date:	7-29-2014

[illegible]


City of Austin Use Only	
CASE NUMBER:	

Please state the method of coordinate data collection and the approximate precision and accuracy of the points and the unit of measurement.


Method	Accuracy
GPS	<input type="checkbox"/> sub-meter <input type="checkbox"/>
Surveyed	<input type="checkbox"/> meter <input type="checkbox"/>
Other	<input type="checkbox"/> > 1 meter <input type="checkbox"/>

Professional Geologists apply seal below


For rimrock, locate the midpoint of the segment that describes the feature.



For wetlands, locate the approximate centroid of the feature and the estimated area.



For a spring or seep, locate the source of groundwater that feeds a pool or stream.



Attachments



FIGURE 1

SITE SPECIFIC GEOLOGIC MAP
32-ACRE AUSTIN OAKS PROPERTY
LOCATED AT MOPAC AND
SPICEWOOD SPRINGS ROAD
AUSTIN, TRAVIS COUNTY, TEXAS

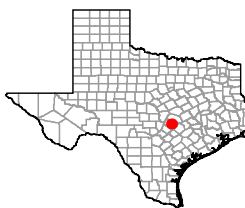
140170 - Austin Oaks Property\Graphics\140170A02ERL_Historical.mxd | GLS | 07-23-2014



MAP SOURCE: USGS, 1995.



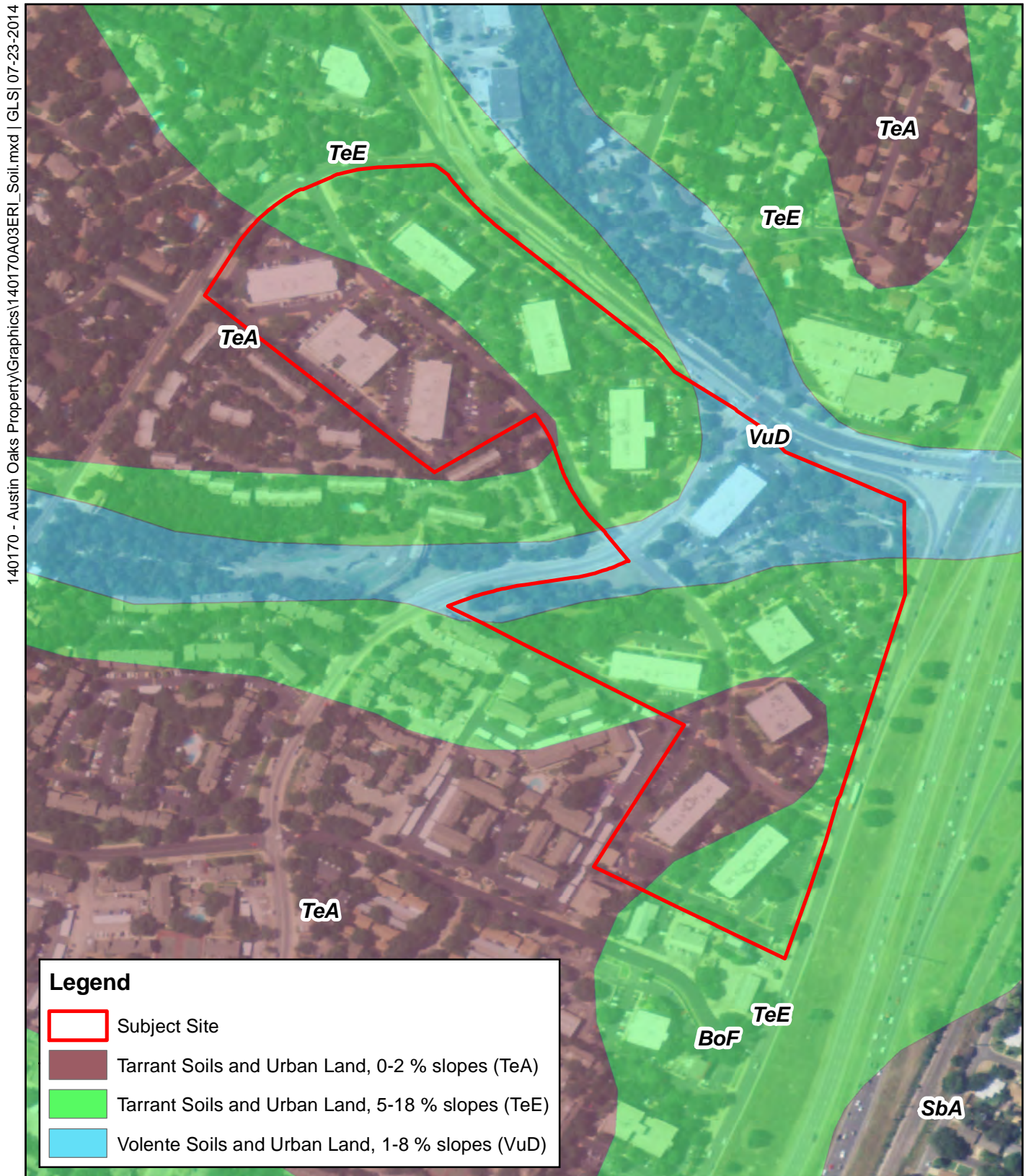
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Feet



Horizon
Environmental Services, Inc.

FIGURE 2

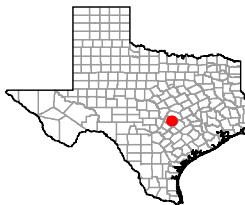
1995 HISTORICAL PHOTOGRAPH
32-ACRE AUSTIN OAKS PROPERTY
LOCATED AT MOPAC AND
SPICEWOOD SPRINGS ROAD
AUSTIN, TRAVIS COUNTY, TEXAS



MAP SOURCE: USDA, 2012; NRCS, 2014.



0 200 400
Feet



Horizon
Environmental Services, Inc.

FIGURE 3

SITE SOILS MAP
32-ACRE AUSTIN OAKS PROPERTY
LOCATED AT MOPAC AND
SPICEWOOD SPRINGS ROAD
AUSTIN, TRAVIS COUNTY, TEXAS



MAP SOURCE: COA, 2003; USDA, 2012.



0 150 300
Feet

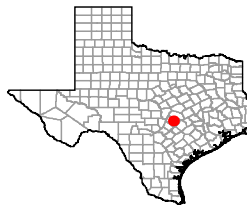
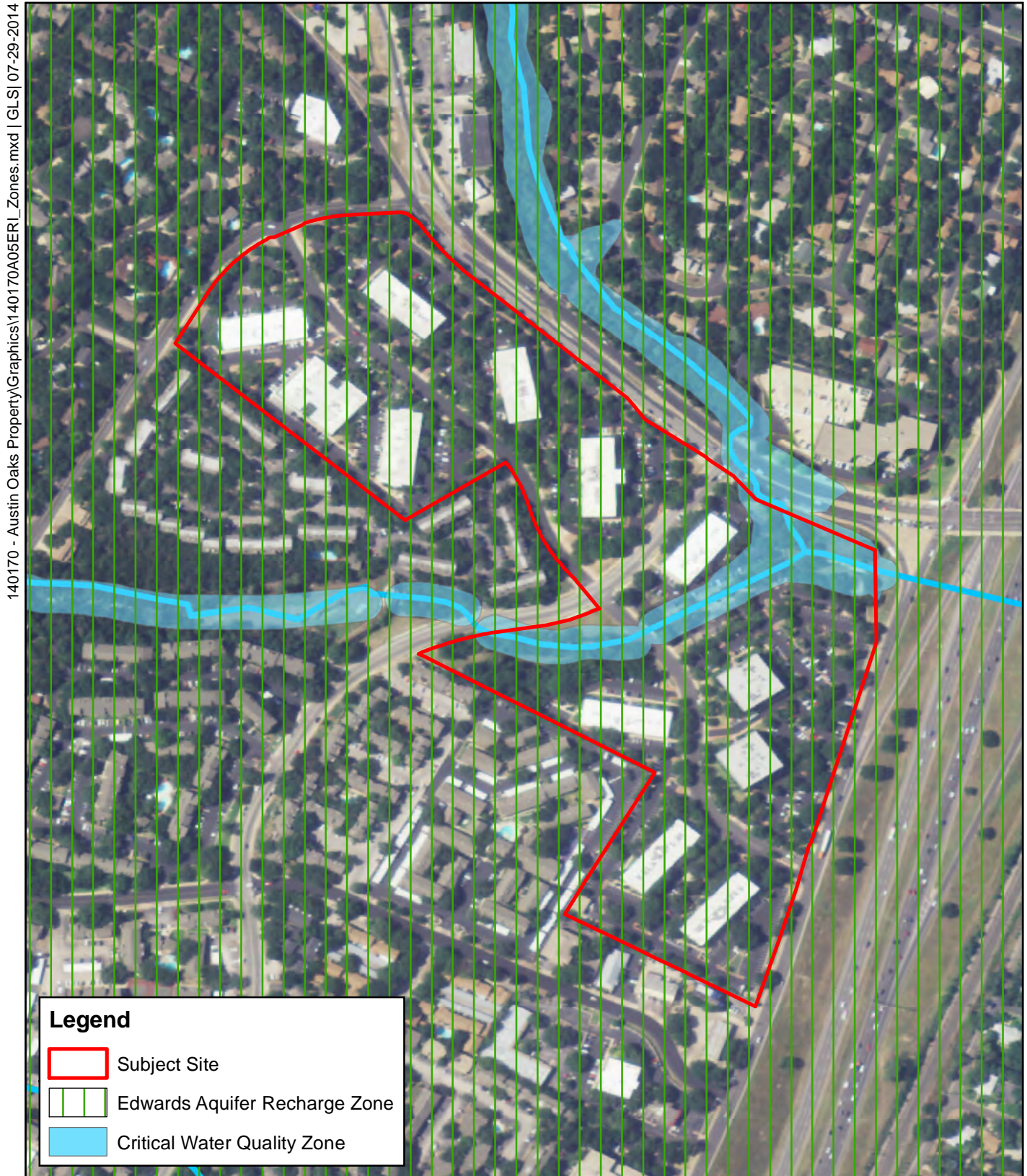


FIGURE 4

CRITICAL ENVIRONMENTAL FEATURES
32-ACRE AUSTIN OAKS PROPERTY
LOCATED AT MOPAC AND
SPICEWOOD SPRINGS ROAD
AUSTIN, TRAVIS COUNTY, TEXAS



MAP SOURCE: COA, 2003; USDA, 2012.



0 150 300
Feet



Horizon
Environmental Services, Inc.

FIGURE 5

EDWARDS AQUIFER RECHARGE ZONE AND
CRITICAL WATER QUALITY ZONE MAP
32-ACRE AUSTIN OAKS PROPERTY
LOCATED AT MOPAC AND
SPICEWOOD SPRINGS ROAD
AUSTIN, TRAVIS COUNTY, TEXAS



ENVIRONMENTAL COMMISSION MAIN MOTION 20161005 008A

Date: October 5, 2016

Motion by: Hank Smith

Seconded by: Michael Moya

Subject: Austin Oaks Planned Unit Development, C814-0120

RATIONALE:

Whereas, this project provides an opportunity to enhance environmental protections and provide much needed affordable housing and mixed use development in an area that has been mainly traditional office development since the 1970's; and

Whereas, staff has determined this proposed PUD to be superior to traditional zoning and that all Tier 1 requirements are being met and that extensive Tier 2 open space, Environmental and drainage benefits are being proposed; and

Whereas, the Parks and Recreation Department finds the Austin Oaks PUD is superior to traditional zoning;

Therefore, the Environmental Commission recommends support of the staff's position that the proposed Austin Oaks PUD, is environmentally superior with the following Environmental Commission Conditions:

1. The PUD will provide at least 11.01 acres of open space, which is 41% higher than the 7.81 acres required based on the proposed land uses.
2. The PUD will exceed the minimum code requirements for landscaping. The PUD will exceed the requirements related to street yard trees as follows:
 - a. 75% of planted street yard trees shall be from the Preferred Plant List, rather than 60%;
 - b. Planted trees shall be no less than eight feet in initial height and no less than three inch caliper, rather than six feet in height and 1.5 inch caliper.
 - c. No more than 30 percent of planted trees will be from the same genus or species, rather than 50 percent. In addition, the PUD will require that a minimum of 75 percent of plant materials, excluding turf and plantings within dedicated parkland, be native to Central Texas or included in the Grow Green Native and Adapted Landscape Plants guide. The PUD will also prepare and implement an Integrated Pest Management plan for the property.
3. The PUD will preserve a minimum of 75 percent of all caliper inches of ~~heritage and protected trees (calculated together)~~ and a minimum of 75 percent of all native caliper inches (including trees one inch in diameter at breast height or larger)
4. The PUD will limit impervious cover to 58 percent across the entire property, ~~which is eight percent below the maximum that would otherwise be allowed by code. Under the redevelopment exception, the project could maintain but not increase the amount of impervious cover on the site, which is currently 66 percent. The project is proposing to decrease impervious cover from 66 percent to 58 percent.~~ In addition, the project is limiting impervious cover to 50 percent within 300 feet of off-site Spicewood Springs.

5. The PUD will provide superior flood mitigation by providing a minimum of 20,000 cubic feet of additional on-site flood detention. The detention will be provided by either laying back the west creek bank, as shown on the applicant's Exhibit J – Creek Plan, or creating a non-structural, vegetated detention area along the east bank.
6. The PUD will restore riparian vegetation in degraded CWQZ and CEF buffer areas. The project shall remove approximately 1.65 acres of existing, non-compliant impervious cover from the CWQZ and CEF buffers. The areas shall be restored to “good” condition based on the functional assessment methodology in Appendix X of the ECM.
7. The PUD will improve the degraded riparian area by laying back the west creek bank on Parcels 4 and 5, as shown on the applicant's Exhibit J – Creek Plan. The project will create an inundation area that will also be restored to “good” condition based on the functional assessment methodology in Appendix X of the ECM.
8. The PUD will provide a 40 percent increase in undeveloped CWQZ and a 33 percent increase in undeveloped CEF buffers. The project will remove approximately 1.65 acres of existing impervious cover from the CWQZ and CEF buffers, ~~which would be allowed to remain under the redevelopment exception.~~ This results in a 95 percent reduction in impervious cover within the CWQZ, a 58 percent reduction in impervious cover within the canyon rimrock/seep buffer, and a 74 percent reduction in impervious cover within the wetland buffers.
9. The mitigation rate for heritage trees shall be increased to 500 percent.
10. Heritage trees can be transplanted anywhere within the PUD (including outside the limits of construction of a site plan).
11. Prior to removal of a heritage tree, staff will verify flexible design standards, including increased building height, are not feasible if doing so will preserve heritage trees.
12. Unless a hazardous condition exists, removal of any heritage trees will only be done as part of a site plan process.
13. If any tree is transplanted to a park area that relocation will be coordinated with PARD;
14. Applicant shall perform an evaluation of each heritage tree to be removed to determine if transplanting is feasible.
15. The redevelopment exception was not used by the Environmental Commission to determine environmental superiority.
16. Pursuant to the requested code modification, mitigation credit shall be provided for removing existing impervious cover in the critical root zone of regulated trees. Removal of impervious cover shall be required unless demonstrated removal is not feasible or would damage the tree.

VOTE 3-4-3

For: H. Smith, Moya, Grayum
Against: Perales, Maceo, Neely, Thompson
Abstain: None
Recuse: None
Absent: Creel, Guerrero, B. Smith



ENVIRONMENTAL COMMISSION FIRST SUBSTITUTE MOTION 20161005 008A

Date: October 5, 2016

Motion by: Peggy Maceo

Seconded by: Pam Thompson

Subject: Austin Oaks Planned Unit Development, C814-0120

RATIONALE:

Whereas, this project provides an opportunity to enhance environmental protections and provide much needed affordable housing and mixed use development in an area that has been mainly traditional office development since the 1970's; and

Whereas, staff has determined this proposed PUD to be superior to traditional zoning and that all Tier 1 requirements are being met and that extensive Tier 2 open space, Environmental and drainage benefits are being proposed; and

Whereas, the Parks and Recreation Department finds the Austin Oaks PUD is superior to traditional zoning;

Therefore, the Environmental Commission recommends support of the staff's position that the proposed Austin Oaks PUD, is environmentally superior with the following Environmental Commission Conditions:

1. The PUD will provide at least 11.01 acres of open space, which is 41% higher than the 7.81 acres required based on the proposed land uses.
2. The PUD will exceed the minimum code requirements for landscaping. The PUD will exceed the requirements related to street yard trees as follows:
 - a. 75% of planted street yard trees shall be from the Preferred Plant List, rather than 60%;
 - b. Planted trees shall be no less than eight feet in initial height and no less than three inch caliper, rather than six feet in height and 1.5 inch caliper.
 - c. No more than 30 percent of planted trees will be from the same genus or species, rather than 50 percent. In addition, the PUD will require that a minimum of 75 percent of plant materials, excluding turf and plantings within dedicated parkland, be native to Central Texas or included in the Grow Green Native and Adapted Landscape Plants guide. The PUD will also prepare and implement an Integrated Pest Management plan for the property.
3. The PUD will preserve a minimum of 75 percent of all caliper inches of ~~heritage and protected trees (calculated together)~~ and a minimum of 75 percent of all native caliper inches (including trees one inch in diameter at breast height or larger)
4. The PUD will limit impervious cover to 58 percent across the entire property, ~~which is eight percent below the maximum that would otherwise be allowed by code. Under the redevelopment exception, the project could maintain but not increase the amount of impervious cover on the site, which is currently 66 percent. The project is proposing to decrease impervious cover from 66 percent to 58 percent.~~ In addition, the project is limiting impervious cover to 50 percent within 300 feet of off-site Spicewood Springs.

5. The PUD will provide superior flood mitigation by providing a minimum of 20,000 cubic feet of additional on-site flood detention. The detention will be provided by either laying back the west creek bank, as shown on the applicant's Exhibit J – Creek Plan, or creating a non-structural, vegetated detention area along the east bank.
 6. The PUD will restore riparian vegetation in degraded CWQZ and CEF buffer areas. The project shall remove approximately 1.65 acres of existing, non-compliant impervious cover from the CWQZ and CEF buffers. The areas shall be restored to “good” condition based on the functional assessment methodology in Appendix X of the ECM.
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 14. Applicant shall perform an evaluation of each heritage tree to be removed to determine if transplanting is feasible.
 15. The redevelopment exception was not used by the Environmental Commission to determine environmental superiority.
 16. Pursuant to the requested code modification, mitigation credit shall be provided for removing existing impervious cover in the critical root zone of regulated trees. Removal of impervious cover shall be required unless demonstrated removal is not feasible or would damage the tree.
- Striking the proposed code modifications for heritage tree removal for the thirteen heritage trees identified;
 - 100 percent of the critical root zone of the heritage trees within the proposed development will be protected (added to superiority elements); and
 - The tree survey presented at site plans is current as per the Environmental Criteria Manual.

VOTE 4-3-3 (Motion fails for lack of six votes)

For: Perales, Maceo, Neely, Thompson
Against: H. Smith, Moya, Grayum
Abstain: None
Recuse: None
Absent: Creel, Guerrero, B. Smith



ENVIRONMENTAL COMMISSION SECOND SUBSTITUTE MOTION 20161005 008A

Date: October 5, 2016

Motion by: Mary Ann Neely

Seconded by: Marisa Perales

Subject: Austin Oaks Planned Unit Development, C814-0120

RATIONALE:

Whereas, this project provides an opportunity to enhance environmental protections and provide much needed affordable housing and mixed use development in an area that has been mainly traditional office development since the 1970's; and

Whereas, staff has determined this proposed PUD to be superior to traditional zoning and that all Tier 1 requirements are being met and that extensive Tier 2 open space, Environmental and drainage benefits are being proposed; and

Whereas, the Parks and Recreation Department finds the Austin Oaks PUD is superior to traditional zoning;

Therefore, the Environmental Commission recommends support of the staff's position that the proposed Austin Oaks PUD, is environmentally superior with the following Environmental Commission Conditions:

1. The PUD will provide at least 11.01 acres of open space, which is 41% higher than the 7.81 acres required based on the proposed land uses.
2. The PUD will exceed the minimum code requirements for landscaping. The PUD will exceed the requirements related to street yard trees as follows:
 - a. 75% of planted street yard trees shall be from the Preferred Plant List, rather than 60%;
 - b. Planted trees shall be no less than eight feet in initial height and no less than three inch caliper, rather than six feet in height and 1.5 inch caliper.
 - c. No more than 30 percent of planted trees will be from the same genus or species, rather than 50 percent. In addition, the PUD will require that a minimum of 75 percent of plant materials, excluding turf and plantings within dedicated parkland, be native to Central Texas or included in the Grow Green Native and Adapted Landscape Plants guide. The PUD will also prepare and implement an Integrated Pest Management plan for the property.
3. The PUD will preserve a minimum of 75 percent of all caliper inches of ~~heritage and protected trees (calculated together)~~ and a minimum of 75 percent of all native caliper inches (including trees one inch in diameter at breast height or larger)
4. The PUD will limit impervious cover to 58 percent across the entire property, ~~which is eight percent below the maximum that would otherwise be allowed by code. Under the redevelopment exception, the project could maintain but not increase the amount of impervious cover on the site, which is currently 66 percent. The project is proposing to decrease impervious cover from 66 percent to 58 percent.~~ In addition, the project is limiting impervious cover to 50 percent within 300 feet of off-site Spicewood Springs.

5. The PUD will provide superior flood mitigation by providing a minimum of 20,000 cubic feet of additional on-site flood detention. The detention will be provided by either laying back the west creek bank, as shown on the applicant's Exhibit J – Creek Plan, or creating a non-structural, vegetated detention area along the east bank.
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 11. Prior to removal of a heritage tree, staff will verify flexible design standards, including increased building height, are not feasible if doing so will preserve heritage trees.
 12. Unless a hazardous condition exists, removal of any heritage trees will only be done as part of a site plan process.
 13. If any tree is transplanted to a park area that relocation will be coordinated with PARD;
 14. Applicant shall perform an evaluation of each heritage tree to be removed to determine if transplanting is feasible.
 15. The redevelopment exception was not used by the Environmental Commission to determine environmental superiority.
 16. Pursuant to the requested code modification, mitigation credit shall be provided for removing existing impervious cover in the critical root zone of regulated trees. Removal of impervious cover shall be required unless demonstrated removal is not feasible or would damage the tree.
- The code modification that is requested regarding the thirteen heritage trees will remain with a caveat that the applicant first conduct a feasibility report (confirmed by the City Arborist) to determine if up to ten heritage trees can be feasibly transplanted. In no event will more than ten heritage trees be required to be transplanted.

VOTE 2-3-3 (Motion fails for lack of six votes)

For: Neely, Perales
Against: Moya, Grayum, H. Smith
Abstain: Maceo, Thompson
Recuse: None
Absent: Creel, Guerrero, B. Smith

EXHIBIT N. Austin Oaks Affordable Housing Program

- A. In order to meet the City's affordable housing goals and to ensure long-term affordability, the Landowner and the Landowner's successors and assigns (collectively referred to as the "Landowner") agree to the following:
1. Ten percent of the total number of multifamily rental housing units located within the Austin Oaks PUD will be set aside for occupancy by households with incomes at 60 percent of or below the median family income (each an "Affordable Rental Unit," collective "Affordable Rental Units") in the Austin metropolitan statistical area for a rental affordability period of forty years (collectively, the "Rental Affordability Requirement") from the date of a certificate of occupancy. In addition the Landowner agrees to comply with the following:
 - a) The Rental Affordability Requirement period for each multifamily development with Affordable Rental Units (the "Affordable Development") begins on the date a final certificate of occupancy is issued for each Affordable Development.
 - b) Affordable Rental Units must be made available in a proportional product unit mix as reflected by all the multifamily rental housing units located within the Affordable Development.
 - c) Each lot or site sold or developed for use as an Affordable Development shall be subject to a restrictive covenant using the form shown in Exhibit XX (subject to revision) or agreed upon by the Director of Neighborhood Housing and Community Development (NHCD) and Landowner at the time of the sale or development and recorded in the official public records of the county where the Affordable Development is located.
 - d) For purposes of complying with the Rental Affordability Requirement, up to 50% of the total of the required Affordable Rental Units may be provided to households in which one of the members is employed by the Austin Independent School District, so long as their income does not exceed 120 percent of the median family income of the Austin metropolitan statistical area for ownership units or rental units.
 - e) Rents will be established annually based on the 60 percent median annual family income multiplied by 28 percent divided by 12. For affordable units that are leased to Austin Independent School District employees, rents will be established annually based on that employee's annual income, not to exceed 120 percent median annual family income, multiplied by 28 percent divided by 12.
 2. At least 5 percent of the total number of units sold as owner-occupied residential housing units located within the Austin Oaks PUD will, through a mechanism agreed upon by the City and Landowner, be made permanently available at a price affordable to households with incomes at 80 percent of or below the median family income (each an "Affordable Ownership Unit," collective "Affordable Ownership Units") in the Austin metropolitan statistical area (collectively, the "Ownership Affordability Requirement"). In addition the Landowner agrees to comply with the following:

- b) The Affordable Ownership Units must be made available in a proportional product unit mix as reflected by all the owner-occupied residential housing units located within the Austin Oaks PUD.
- c) Affordable Ownership units must:
- i) Be sold to an income eligible household at 80 percent of or below median family income;
 - ii) Include resale restrictions that require that resale of the affordable unit must be to a household at 80 percent of or below median family income; and
 - iii) Contain restrictions that will cap the equity gain to the homeowner that can be realized upon resale of the affordable unit. The resale formula will be set by the director of the Neighborhood Housing and Community Development Office, and may change from time to time; and
 - iv) Contain a Right of First Refusal to the Austin Housing Finance Corporation (AHFC) or other entity designated by the City that is assignable to an income-qualified buyer, to ensure long term affordability.
- B. The Landowner agrees to enter into an agreement with the City of Austin that ensures compliance with Part XX of this PUD ordinance.
- C. Income limits for the Affordable Housing Requirements shall be established annually as determined by the United States Department of Housing and Urban Development.
- D. The Landowner shall file a written report with the Director of the City's Neighborhood Housing and Community Development Office, or their designee on the number and location of each Affordable Ownership Unit and Affordable Rental Unit meeting the Affordable Housing Requirements within the Austin Oaks PUD (the "Affordability Report") in a format approved by the City. The initial Affordability Report shall be filed within 15 calendar days following March 31 or September 30 next following the date of recordation of a plat with residential units or site plan with residential units within the Austin Oaks PUD and be continuously filed on a semi-annual basis until the project is fully built out and sold.
- E. Compliance with the Affordable Housing Requirements will be monitored by the City's Neighborhood Housing and Community Development Office through an annual audit of the sale and rental of Affordable Ownership Units and Affordable Rental Units within the Austin Oaks PUD. Income qualifications, rents and sales price of the ownership units must comply with NHCD compliance guidelines, as amended.

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School DistrictPROJECT NAME: Austin Oaks PUDADDRESS/LOCATION: 3429 Executive Center DriveCASE #: C814-2014-0120☐ NEW SINGLE FAMILY☐ DEMOLITION OF MULTIFAMILY☒ NEW MULTIFAMILY☐ TAX CREDIT

SF UNITS: _____ STUDENTS PER UNIT ASSUMPTION
 Elementary School: _____ Middle School: _____ High School: _____

MF UNITS: 277 STUDENTS PER UNIT ASSUMPTION
 Elementary School: 0.124 Middle School: 0.035 High School: 0.071

IMPACT ON SCHOOLS

The district-wide student yield factor (across all grade levels) is 0.23 per apartment. Using this district-wide average, the 277 multifamily development is projected to add approximately 64 students across all grade levels to the projected student population. However, because the development is proposing 75% one bedroom apartments, the number of students from this development is likely to be lower than the projected district-wide average of 64. It is estimated that of the 64 students, 34 will be assigned to Doss Elementary School, 10 to Murchison Middle School, and 20 at Anderson High School.

The current enrollment of 920 at Doss Elementary places the percent of permanent capacity at 169%, significantly above the target range of 75-115%. The projected increase in enrollment by SY 2019-20 coupled with the additional students from the proposed development would increase the percent of permanent capacity to 179% (64 percentage points above the target range), assuming the mobility rates remain the same. The school community and administration are currently discussing intervention strategies to address overcrowding at Doss.

Murchison Middle School is currently above the target range of permanent capacity by enrollment at 122%. The projected increase in enrollment by SY 2019-20 coupled with the additional students from the proposed subdivision would increase the percent of permanent capacity to 154%, assuming the mobility rates remain the same. The school community and administration would need to discuss intervention strategies to address overcrowding at Murchison MS.

The percent of permanent capacity by enrollment for SY 2019-20, including the additional students projected with this development, would be within the target range of 75-115% for Anderson HS (108%), assuming the mobility rates remain the same.

EDUCATIONAL IMPACT STATEMENT*Prepared for the City of Austin*Austin Independent
School District**TRANSPORTATION IMPACT**

Doss ES, Murchison MS and Anderson HS are located within 2 miles of the proposed development; therefore students would not qualify for transportation unless a hazardous route condition was identified.

SAFETY IMPACT

The construction of a sidewalk along the south side of Greystone Drive would increase the level of safety for student walkers.

Date Prepared: 06/11/2015Director's Signature: Paul Turner

EDUCATIONAL IMPACT STATEMENT

Prepared for the City of Austin

Austin Independent
School District

DATA ANALYSIS WORKSHEET

ELEMENTARY SCHOOL: Doss	RATING: Met Standard
ADDRESS: 7005 Northledge	PERMANENT CAPACITY: 543
% QUALIFIED FOR FREE/REDUCED LUNCH: 12.70%	MOBILITY RATE: +1.4%

POPULATION (without mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	907	925	959
% of Permanent Capacity	167%	170%	177%

ENROLLMENT (with mobility rate)			
ELEMENTARY SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	920	938	972
% of Permanent Capacity	169%	173%	179%

MIDDLE SCHOOL: Murchison	RATING: Met Standard
ADDRESS: 3700 North Hills Drive	PERMANENT CAPACITY: 1,113
% QUALIFIED FOR FREE/REDUCED LUNCH: 27.51%	MOBILITY RATE: +10.7%

POPULATION (without mobility rate)			
MIDDLE SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	1,229	1,543	1,553
% of Permanent Capacity	110%	139%	140%

ENROLLMENT (with mobility rate)			
MIDDLE SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	1,361	1,709	1,719
% of Permanent Capacity	122%	154%	154%

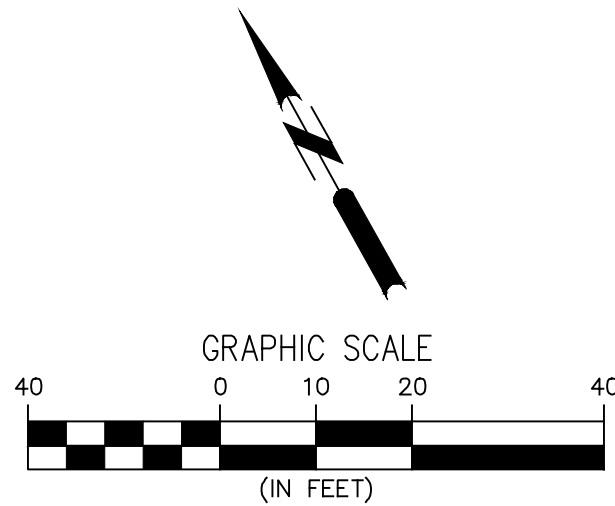
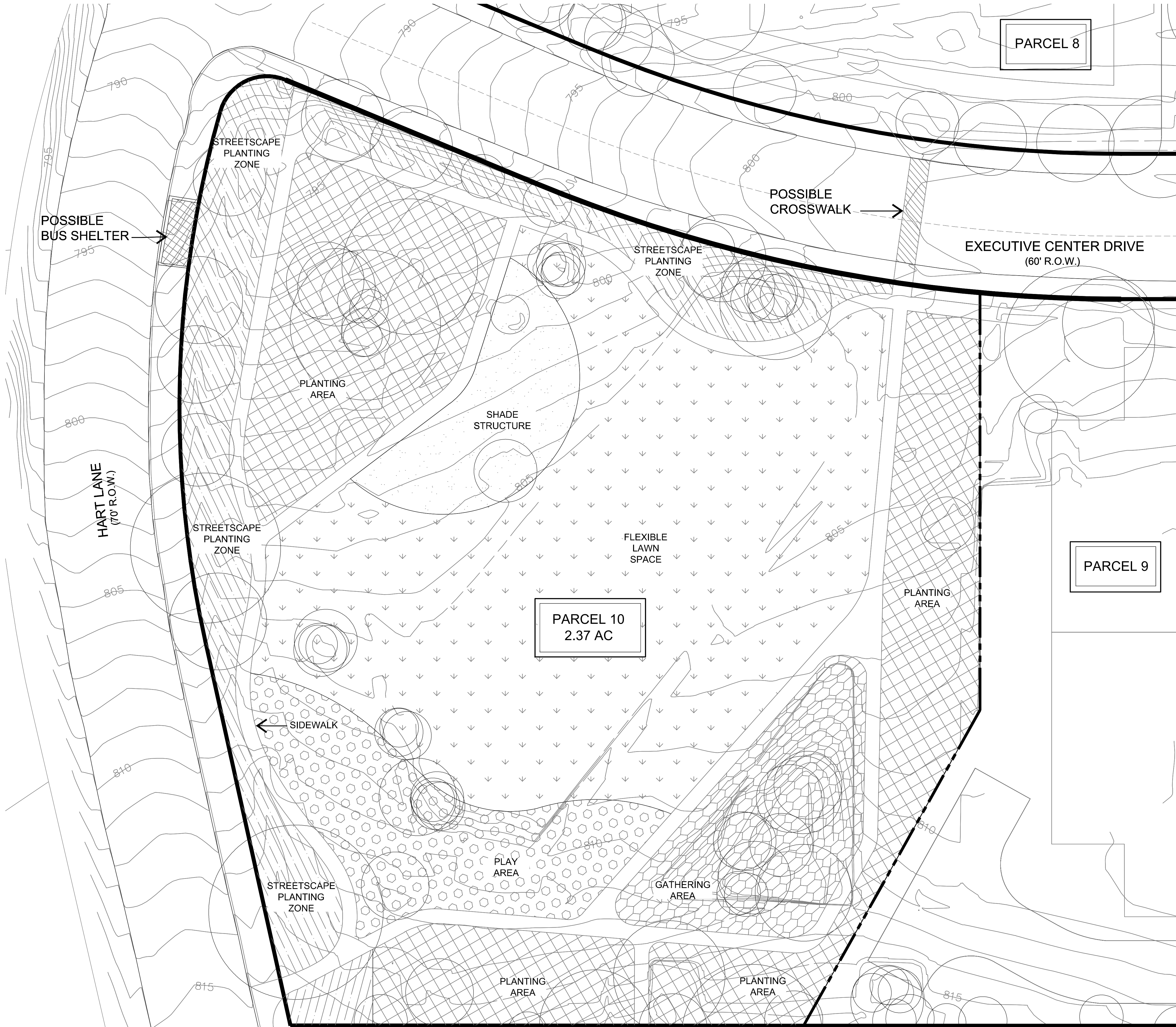
EDUCATIONAL IMPACT STATEMENT*Prepared for the City of Austin*Austin Independent
School District

HIGH SCHOOL: Anderson	RATING: Met Standard
ADDRESS: 8403 Mesa Drive	PERMANENT CAPACITY: 2,373
% QUALIFIED FOR FREE/REDUCED LUNCH: 26.74%	MOBILITY RATE: +8.5%

POPULATION (without mobility rate)			
HIGH SCHOOL STUDENTS	2014-15 Population	5- Year Projected Population (without proposed development)	5-Year Projected Population (with proposed development)
Number	2,063	2,336	2,356
% of Permanent Capacity	87%	98%	99%

ENROLLMENT (with mobility rate)			
HIGH SCHOOL STUDENTS	2014-15 Enrollment	5- Year Projected Enrollment* (without proposed development)	5-Year Projected Enrollment* (with proposed development)
Number	2,239	2,535	2,555
% of Permanent Capacity	94%	107%	108%

*The 5-Year Projected Enrollment (with and without the proposed development) is an estimate calculated with the assumption that the stated mobility rates (transfers in and out of the school) remain the same over the 5-year period. These estimates are for the sole purpose of the Educational Impact Statement and should not be used for any other purposes.



- NOTES:
- THE OWNER WILL SPEND UP TO \$1,546,500 TO REDEVELOP PARCEL 10 AS A PARK AND PROVIDE IMPROVEMENTS PRIOR TO DEEDING THE PARCEL 10 PROPERTY TO THE CITY AS CITY PARKLAND AND SUCH IMPROVEMENTS WILL BE IMPLEMENTED WITH THE APPROVAL OF THE CITY OF AUSTIN. PARKLAND DEDICATION REQUIREMENTS SET FORTH HEREIN SHALL SATISFY ALL PARKLAND REQUIREMENTS OF THE CITY WITH RESPECT TO THE PUD, INCLUDING PARKLAND DEDICATION AND PARKLAND DEVELOPMENT FEES. A PORTION OF THE IMPROVEMENT EXPENDITURES MAY BE SPENT ON PLACING OF A HISTORIC MARKER OR INTERPRETIVE SIGNAGE ON PARCEL 10 AND PARCEL 8 (WITHIN THE HERITAGE PARK)
 - BUS SHELTER SUBJECT TO CAPITAL METRO NEED AND APPROVAL.
 - THE BUILDINGS, STRUCTURES, PARKING, SIDEWALKS, TRAILS, AND OTHER IMPROVEMENTS SHOWN ON THIS EXHIBIT ARE GRAPHIC REPRESENTATIONS AND ARE NOT EXACT. THE EXACT LOCATIONS AND SPECIFICATIONS FOR THE BUILDINGS, STRUCTURES, PARKING AND OTHER IMPROVEMENTS SHALL BE DETERMINED AS SITE DEVELOPMENT PERMITS ARE ISSUED AS IS CONSISTENT WITH THE PROVISIONS AND INTENT OF THIS ORDINANCE.

Urban Design Group PC
TX Registered Engineering Firm #11843
3660 Stoneridge Road
Suite E101
Austin, TX 78746
512.347.0040

Landscape Architects Planners
1705 Guadalupe Street, Suite 500
Austin, Texas 78701
(512) 327-1011 Fax: (512) 327-0488
Austin Dallas Houston San Antonio

AUSTIN OAKS PUD			AO PARK PLAN AND PARK SPACE		
NOTES	NAME	DATE	<div>EXHIBIT G</div> <div>PAGE 2 OF 2</div> <div>AUGUST 30, 2016</div> <div>UDG JOB NO. 15-864</div> <div>1"=20'</div> <div>CASE NUMBER: C814-2014-0120</div>		
SURVEY BY					
DRAWN BY					
CHECKED BY					
DESIGNED BY					
REVIEWED BY					

Chair and Members of the Zoning and Platting Commission

I am asking that you recommend approval of the Austin Oaks Planned Unit Development as currently submitted.

I served as the volunteer project manager for the Austin Oaks charrette held in January 2016. I do not work for Spire Realty or any of its consultants and I do not speak for them. I am a member of the Northwest Civic Association (NWACA) but I do not speak for that organization.

In June of 2015, the NWACA board passed a resolution opposing the Austin Oaks PUD, as then proposed, and requested that the City host and the developer fund a design charrette for the Austin Oaks site. The City failed to respond and, at that time, the developer expressed no interest. In September of 2015, the developer did agree to fund a charrette and NWACA took up management responsibility for the charrette.

I took on the task of organizing the Austin Oaks charrette because I believe that an open and collaborative design process leads to a better result than what comes out of years of seemingly endless negotiations.

A charrette is a design approach to resolving land use conflict. A charrette reaches consensus through an iterative feedback-driven design process that includes all of the affected stakeholders working together on a collaborative basis.

Throughout a charrette, design alternatives are tested against a list of objectives, strategies, and measures (OSMs). The OSMs for the Austin Oaks charrette were developed by a committee of stakeholders all of whom, with the exception of the developer and his representative, were opposed to the original PUD submittal. Some of the OSMs conflicted with one another. It was recognized that trade-offs would have to be made through the design process.

A committee of neighborhood stakeholders selected the design consultants. The design consultants included:

- Doug Farr, FAIA as charrette design facilitator. Doug is a nationally recognized urban designer
- TBG Partners as project designers. TBG Partners have designed successful developments throughout Texas. They brought a full complement of architects, landscape architects, and illustrators to the charrette
- Urban Design Group as civil engineers. Urban Design Group is a leader in “green” infrastructure
- Kimley-Horn as transportation engineers. Kimley-Horn is Austin’s transportation consultant for CodeNext

The charrette was conducted from January 25-29. During the charrette, the designers developed plan alternatives, discussing and testing them for feasibility against:

- Market constraints
- Neighborhood constraints
- Physical and environmental constraints
- Regulatory constraints
- Financial constraints
- The OSMs

The alternatives were also compared against a “code compliant plan”- what could be built by the developer under his existing entitlements. To a great degree, the challenge to the designers was to design a project that was superior to the “code compliant” plan. That, of course, is also the bar set by the City’s PUD ordinance.

Neighborhood stakeholders, public agency staff, and the general public reviewed the design alternatives each day of the charrette and that input was the feedback that informed the next design iteration.

The plan that was presented at the conclusion of the charrette the “preferred plan” was demonstrably superior in terms of urban design, transportation, public facilities, and water-quality to the “code compliant plan” and superior to the designs previously presented to the neighborhoods. The plan that came out of the charrette also met most but not all of the OSMs as trade-offs were made through the design process. Tables comparing the various plans, including the most recent PUD submittal are attached to this letter.

The most significant advantages of the current PUD plan relative to the “code compliant” plan include:

- Superior urban design (the mix of uses and the relationships of the buildings to each other, to their environmental context, and to the public sphere)
- Creation of pedestrian-friendly streetscapes
- Addition of parkland, trails, and improvements
- Provision of covered transit stops
- Funding for transportation improvements
- Creek restoration including restoration of riparian vegetation
- Reduction of impervious cover

As we enter into this phase of the process, my goal and the goal of a number of us in the neighborhood is to ensure that the integrity of the charrette plan is maintained as it undergoes final review. During the charrette, I referred to it as the “what you see is what you get” charrette. Three items are critical to making sure that the charrette vision is maintained as the project is developed.

- Retaining the location of the buildings, trails, sidewalks, and other

improvements shown on the PUD land plan. This is essential to maintaining the urban design benefits of Austin Oaks.

- Including the mean sea level measurements in the building height tables. This ensures that the taller building on Mopac stays in an area of lower elevation and, hopefully, establishes an effective height cap along this stretch of Mopac
- Providing prior notice to neighborhoods of administrative approvals to the land plan so that neighbors and neighborhood organizations have the opportunity to object to changes

Current language on the land plan accomplishes these ends.

As Austin continues to grow and becomes more dense in response to demographic changes, market forces, and public policy, we face two major challenges; where to best locate increased density and how to mitigate that density.

In the case Austin Oaks, the first challenge is addressed by geography. Austin Oaks is a proposed infill project on an existing office park site located on an urban freeway. The decision making it a commercial node is reflected by it's existing entitlements. Those entitlements support a doubling of what currently exists on the site (from 445,322 sq ft to 890,795 sq ft).

As for the second challenge, I believe we mitigate density through design, by including open space, and with transit. Austin Oaks is a transit-ready project that supports bus transit, it includes natural and improved open space, and its mixed-use design reflects the work of nationally respected urban design professionals. The mixed-use aspect of the project also supports neighborhood commercial and reduces the traffic impact of an office-only development.

I will be at the Zoning and Platting Commission meeting on Tuesday and will be glad to answer any questions you may have.

Ben Luckens, AICP
Luckens Planning Consultants

Austin Oaks Planned Unit Development

Comparison of Existing Site, Initial PUD application, Charrette Outcome, and most final PUD submittal – Update 7 – 9/1/2016

Aspect	Existing Development	July 2014 Initial PUD Application	January 29, 2016 Charrette Outcome	PUD Update 7 as submitted 8/31 and 9/1/16
Building Density	446,091 square feet (sf)	Total 1,618,904 sf. (653,376 residential, 868,376 office, 89,028 retail, 8,000 restaurant)	Total 1,196,000 sf. (846,000 office, 50,000 restaurant / retail, 210,000 residential, 90,000 hotel)	Total 1,191,700 sf. (835,000 office, 12,800 restaurant, 30,900 retail, 90,000 hotel 250 dwelling units in 223,000 sq. ft. mixed use
Building Heights	12 buildings; 8 are 2-story, 4 are 3-story; Mix of LO, LR (max 40') and GR (max 60')	Unclear number of buildings, but heights cited by area: A, B, G – 60 ft. (4 stories) E – 70 ft. (5 stories) F – 125 ft. (8 stories) C – 210 ft. (14 stories) D – 225 ft. (17 stories)	3 7-story office buildings 4 5-story office buildings 2 1-story restaurant buildings 1 5-story hotel 1 4-story residential complex	2 7-story office buildings 2 6-story office building 2 5-story office buildings 2 1-story office/retail buildings 2 1-story restaurant buildings 1 5-story hotel 1 4-story residential complex
Imagine Austin Plan	Imagine Austin NA for current development	Staff comments in August were favorable with respect to Imagine Austin	Reviewed by design team and visiting City staff	City staff comments say the PUD application is supported by Imagine Austin
Impervious Cover	66%	65% over whole site	Not computed	Limited to 58% over whole site
Multifamily Housing	None; hence no impact on schools	610 units, estimated to add 125-150 students to local schools	210 non-family units	250 units (efficiencies, 1BR, and 2BR) – some for sale and some for rent; count of 250 also includes any condos developed as part of the hotel property Educational Impact Statement estimates 64 students added to local schools
Open Space	NA	To exceed PUD requirements	6 acres proposed (park and creek area)	11 acres overall; 8.5 acres in parks, with 5.34 acres credited as parkland

Austin Oaks Planned Unit Development

Comparison of Existing Site, Initial PUD application, Charrette Outcome, and most final PUD submittal – Update 7 – 9/1/2016

Aspect	Existing Development	July 2014 Initial PUD Application	January 29, 2016 Charrette Outcome	PUD Update 7 as submitted 8/31 and 9/1/16
Parkland Onsite	NA	None; Intended to do fee in lieu	2-acre park	2.37 acres in Neighborhood Park; 0.52 in Heritage Park; 0.3 in Heritage Trail; 2.15 in Creek Park; all three parks to be deeded to City of Austin PARD; \$1,546,500 for development of Neighborhood and Heritage Parks
Pedestrian Safety Improvements	NA	Not addressed	TBD with TIA	Intersection improvements; Heritage Trail, bicycle and pedestrian improvements on site
Phasing	NA	Buildout identified in 4 phases in Traffic Impact Analysis – 2018, 2023, 2028, 2031	Not addressed in charrette	buildout identified in 4 phases in Traffic Impact Analysis – 2018, 2020, 2022, 2024
Public Transit	No	Not addressed on site	2 covered bus stops, one on Hart Lane, one at Executive Center Drive and Wood Hollow	2 covered bus stops, one on Hart Lane, one at Executive Center Drive and Wood Hollow (subject to CAP Metro planning)
Traffic – avg. trips/day	4,086 trips daily	Adds 20,736 trips/day for a total of 24,984 trips	Total estimated 17,000 (used internal capture rate of 14% from Institute of Traffic Engineers, while application uses COA 5% rate)	Net New Trips = 16,596 Internal capture = 1,034 Net New External = 15,562 Total trips 2024 = 19,648
Traffic Improvements	NA	12 recommendations for changes listed in the TIA; no estimates of costs included; later estimated at \$1M	TBD with development of TIA	Austin Transportation Department selected 4 improvements to be paid for by the applicant, at \$745K (out of an estimated \$2.015M for all options). In first phase, \$420K for signal at Hart and Spicewood and \$35K for right turn movement from Spicewood to Loop 1. Later, \$160K for deceleration lane on Mopac access road, and \$130K for an acceleration lane on the access road.

Austin Oaks Planned Unit Development

Comparison of Existing Site, Initial PUD application, Charrette Outcome, and most final PUD submittal – Update 7 – 9/1/2016

Aspect	Existing Development	July 2014 Initial PUD Application	January 29, 2016 Charrette Outcome	PUD Update 7 as submitted 8/31 and 9/1/16
Trees	Survey showed 746 trees surveyed, 72 as heritage (> 24"); 98 as protected (>19")	63 heritage trees preserved (of 72) 9 heritage trees removed 54 protected trees preserved (of 98 Identified at that time) 44 protected trees removed	52 heritage trees preserved (of 71) 19 heritage trees removed 83 protected trees preserved (of 106) 23 protected trees removed {survey included trees in Mopac Right of Way, while PUD application does not}	57 heritage trees preserved (of 70) 13 heritage trees removed 66 protected trees preserved (of 97) 31 protected trees removed 327 non-protected trees preserved (of 566) 239 non-protected trees removed Replacement trees will be at least 8 feet in height
Water Quality	Built before City had strict water quality treatment requirements	Planned to comply with current water quality regulations	Throughout site, including 4-acre creek greenbelt	Treatment throughout site, with a minimum of 20,000 cubic feet of detention either from laying back part of the west side of the creek or creating a dual-use detention/parkland area on the east side of the creek

AUSTIN OAKS METRICS

METRIC	PREFERRED PLAN	CODE COMPLIANT PLANS (13)
Financial Feasible	Yes	Yes
Mixture of compatible uses to serve the neighborhood	Yes	Yes - but only modest amount
Traffic	Comparable	Comparable
Off-Site Transportation Improvements	Yes - will be required by TIA	No
Trees	Save fewer Heritage trees Retains more tree clusters and habitats	Saves more individual Heritage Trees
Parks	Yes - 2 acre neighborhood park with features	No
Creek Greenbelt	Yes - 4 acres with restaurants, trails, creek restaurants	Yes - But only modest amount

January 29, 2016

AUSTIN OAKS METRICS

METRIC	PREFERRED PLAN	CODE COMPLIANT PLANS (13)
Environmental Superiority	Yes - Complies with current codes for CEF's Creek setbacks, etc.	No - complies only with Redevelopment Provision of Code.
Building Heights	4-7 Floors	3-5 Floors
Square Footage	1,196,000 sf	890,795 sf
Regional Detention Potential within creek channel	Yes	No
Ability to enforce superior urban design and placemaking	Yes	No
Requires zoning change	Yes	No
Engages public input	Yes	No

Dear Commissioners and Council Members,

I am writing to express my support for the proposed Austin Oaks Planned Urban Development (PUD).

As a resident of Northwest Hills, I have been actively involved in the Austin Oaks PUD process since the first public meetings. At the first community forum held on August 19, 2014, I was one of the first speakers to stand and raise serious concerns about the traffic impact of the proposed PUD. At the time, I was in the midst of recovering from being hit by a car that came up on a sidewalk while I was walking near my home on Far West Blvd. I did not want increased traffic in my neighborhood or the attendant risks that it posed for pedestrians as well as the many children who walk and bike to our local schools every day, including my two daughters.

I continued my opposition to the Austin Oaks PUD until Spire Reality agreed to participate in the charrette process organized by the Northwest Austin Civic Association. I attended as many sessions of the charrette process as possible. By the end of the charrette, I moved from opposing the PUD to supporting the preferred plan, which was developed during the course of the charrette.

I believe that the plan proposed by Spire Reality is in keeping with the results of the charrette and represents the best direction for the property and my neighborhood. Among the many positives of the plan, it will significantly enhance my neighborhood through increased park space and restoration of the creek that runs through the property.

I encourage you to cast your vote in support of the proposal before you.

Thank you for your time and consideration.

Sincerely,

Jonathan Kaplan, Ph.D.
4102 Far West Blvd

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Joel Rezzano
Your Name (please print)

3415 Grey Stone Dr 78731
Your address(es) affected by this application

[Signature]
Signature

8/30/16
Date

Daytime Telephone: _____

Comments:

This area needs a better variety of business
especially restaurants. More space allotted more
business.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Your Name (please print) Caroline Kadd

☒ I am in favor
☐ I object

3415 Greystone Dr Ste 201

Your address(es) affected by this application

09/30/16 Date

Signature

Daytime Telephone: _____

Comments:

It will be nice to have a greater
variety of business to shop eat & visit
close by.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2014-0120
Contact: Andrew Moore, 512-974-7604
Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Daniel Ly
 Your Name (please print)

3424 GreyStone DR. #102
 Your address(es) affected by this application

Daniel Ly
 Signature

8/29/2016
 Date

☒ I am in favor
☐ I object

Daytime Telephone: _____

Comments: _____

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City of Austin
 Planning & Zoning Department
 Andrew Moore
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

**Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council**

Chien Michael Ly
Your Name (please print)

☒ I am in favor
☐ I object

3424 Greystone Dr.

Your address(es) affected by this application

Chien Michael Ly
Signature

Date

Daytime Telephone: _____

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2014-0120
Contact: Andrew Moore, 512-974-7604
Public Hearing: September 6, 2016, Zoning and Planning Commission
October 13, 2016, City Council

Patsy McLemore
Your Name (please print)

☐ I am in favor
☒ I object

Your address(es) affected by this application

Patsy McLemore 9-4-16
Signature Date

Daytime Telephone: 512-345-3677

Comments: Please see attachment

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

Dear Commissioners:

We have lived in the Westover Hills neighborhood for almost 45 years. When we moved in the only way to reach our house was via Balcones Dr. and Hyridge Dr. — there was no Mopac or Steck Ave. and Mesa did not extend far enough North to serve us. Basic services such as a grocery store, pharmacy, and fire station were miles away at the Balcones—2222 intersection. So we have watched this community develop; and, so far, we have considered most of the development to be beneficial for the area, even including the existing development at the intersection of Mopac and Spicewood Springs Rd. We feel very differently, however, about the proposed redevelopment of that large tract of land and therefore request—urge really—that you ~~to~~ reject this proposal.

Thank you.

Dale and Patsy Mclemore

Dale and Patsy Mclemore

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Reagan Swagues
Your Name (please print)

3507 Starline Dr
Your address(es) affected by this application

[Signature]
Signature

9/1/16
Date

Daytime Telephone: 512-568-9159

☐ I am in favor
☒ I object

Comments: I would like to see the Austin Oaks property improved upon - I would especially like to see affordable housing options built. That being said, I request that the developer work within the current zoning designations. A PUD feels like an attempt to squeeze out as much profit as possible out of a development deal, and, as such, is not in the interest of the neighborhood - the same neighborhood that (cont' - see attached) →

If you use this form to comment, it may be returned to:

City of Austin

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Andrew Moore

P. O. Box 1088

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has been calling for the rejection of the PUD zoning request for well over a year. Development companies, much like ride-share companies, do not get to dictate what is in the best interest of our city. So, I urge the city council, in particular our representative Sheri Galle, to please reject the request for PUD zoning designation.

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Elaina Woods

Your Name (please print)

3600 Greystone Drive

Your address(es) affected by this application

EPH

9/2/16

Date

Signature

Daytime Telephone: 512-608-3099

Comments:

Andrew Moore,
I object to the case C814-2014-0120
set forth at the hearings on
September 6th, 2016 and October
13th 2016 on the grounds that
it will facilitate the overdevelopment
for commercial interests of residential
Austin areas. This does not represent
the interests of the residents here.

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City of Austin

Planning & Zoning Department

Andrew Moore

P. O. Box 1088

Austin, TX 78767-8810

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Nallarie Sinclair

Your Name (please print)

7901 Cebery Dr

Your address(es) affected by this application

Sinclair

Signature

9/6/16

Date

Daytime Telephone: 512-569-0914

Comments: The scope & scale continues to be inappropriate for the area. The staff has not provided adequate explanation or justification for finding any element superior. Adequate is not superior. Seven story buildings, a hotel, five story buildings looming over houses at the highest points of the property, are issues - all ignored by staff, in any substantive meaningful manner.

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Andrew Moore

P. O. Box 1088

Austin, TX 78767-8810

and not reviewed

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Case Number: C814-2014-0120
 Contact: Andrew Moore, 512-974-7604
 Public Hearing: September 6, 2016, Zoning and Platting Commission
 October 13, 2016, City Council

Margaret Chalmers
 Your Name (please print)

☐ I am in favor
☒ I object

3809 Spicewood Springs Rd. 1160
 Your address(es) affected by this application

Margaret Chalmers
 Signature

9/5/2016
 Date

Daytime Telephone: 512-345-6849

Comments: How many times do the residents of this neighborhood have to say "no" before the city gets it? My objections have been submitted multiple times and ways. Why have (do) I receive these notices and quadruplicate - two to my physical address and two to my p.o. box.

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Andrew Moore
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

JUDY MOLTZ
Your Name (please print)

3809 SPICEWOOD SPRINGS # 152

Your address(es) affected by this application

Judy Moltz
Signature

SEP 1 2016
Date

Daytime Telephone: 512.343.6530

Comments: THE NEIGHBORHOOD HAS MORE THAN ENOUGH
TRAFFIC AS IT IS - NO MORE PLEASE.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2014-0120
Contact: Andrew Moore, 512-974-7604
Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Mamie Foster

Your Name (please print)

7702 Merrybrook 78731

Your address(es) affected by this application

Mamie Foster

Signature

9/7/16

Date

Daytime Telephone: 512 921 6668

Comments:

The infrastructure surrounding this area is not capable of handling more traffic. All of the schools in this area are overcrowded and underfunded. There is no reason to put more stress on this area.

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Andrew Moore
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Leilan Williams

Your Name (please print)

7630 Wood Hollow #110

Your address(es) affected by this application

[Signature]

Signature

Date

Sept 1, 2016

Daytime Telephone: *832-795-7745*

Comments:

This project would destroy my family's apartment.

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2014-0120
 Contact: Andrew Moore, 512-974-7604
 Public Hearing: September 6, 2016, Zoning and Platting Commission
 October 13, 2016, City Council

Larry Meeks (Mecle Wasson & Co)
 Your Name (please print)

☐ I am in favor
☒ I object

7718 Wood Hollow Dr. STE 6-18
 Your address(es) affected by this application 7718 Wood Hollow Dr. STE 6-18

[Signature]
 Signature

512-346-9522
 Daytime Telephone

Comments: I have worked in this area since 1984 and know the area well. This change would have adverse affect on neighborhood and traffic.

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Andrew Moore
 P.O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2014-0120
 Contact: Andrew Moore, 512-974-7604
 Public Hearing: September 6, 2016, Zoning and Platting Commission
 October 13, 2016, City Council

Keith Tilley
 Your Name (please print)

☐ I am in favor
☒ I object

7703 Bramblewood Circle

Your address(es) affected by this application

Keith Tilley

8/29/16 Date

Daytime Telephone: 486-862-4706

Comments: I'm very concerned about the impact to traffic and school over crowding this project would bring. Doss Elementary, Murchison Middle School and Anderson HS are already over crowded.

How is this being addressed?

If you use this form to comment, it may be returned to:

City of Austin
 Planning & Zoning Department
 Andrew Moore
 P. O. Box 1088
 Austin, TX 78767-8810

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council

Oscar B. Jackson III

Your Name (please print)

3445 Executive Center Dr. Ste 101, 78731

Your address(es) affected by this application

Oscar B. Jackson III

Signature

Date

Daytime Telephone: 512-551-0677

Comments:

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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Case Number: C814-2014-0120

Contact: Andrew Moore, 512-974-7604

Public Hearing: September 6, 2016, Zoning and Platting Commission
October 13, 2016, City Council



You

☐ I am in favor
☒ I object

You

ion
Rick Baird
7406 Shadow Hill Drive, Apt. 105, Austin, TX 78731

Signature

Daytime Telephone: (512) 346 0955

8/30/2016
Date

Comments:

Big money also good
lawyers usually win out, so
why are we voting on it

If you use this form to comment, it may be returned to:

City of Austin
Planning & Zoning Department
Andrew Moore
P. O. Box 1088
Austin, TX 78767-8810

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From: [REDACTED]
To: [Weber, Thomas - BC](#)
Cc: [Moore, Andrew](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#)
Subject: Austin Oaks PUD
Date: Sunday, October 16, 2016 10:13:24 AM

Dear Commissioner Weber - Please vote no on the Austin Oaks PUD as is. There are several issues that concern me.

1. 13 Heritage trees and 31 protected trees are to be cut down in the current proposal. Previously it was 8 Heritage trees to be cut down and one transplanted. Cutting down 43 trees is outrageous to me.
2. A tree survey that is good for 25 years is unacceptable. Some of these trees can grow up to 10" in that amount of time. Please stay with the current code of surveying the trees every 5 years.
3. Traffic mitigation - The previous PUD of 2015 had car trips at 19,819 trips per day. What came out of the charrette was 17,000 car trips per day. Current PUD, as of October 16, now has 19,648 car trips per day per the TIA. What specific traffic mitigation can be done with the \$628,000 offered by the developer? Per staff's TIA memo dated October 6, 2016, a number of impacted intersections fail at a much greater rate even after the applicant's total of only \$628,000 in mitigation funding. What happen to the \$10,000,000 figure?
4. What affordable housing is offered?

Thank you for your service to our city. I really appreciate it.

Stephanie Ashworth
District 10 constituent
7608 Parkview Circle
Austin, TX 78731

From: [REDACTED]
To: [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Kiolbassa, Jolene - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Breithaupt, Dustin - BC](#); [Evans, Bruce - BC](#); [Flores, Yvette - BC](#); [Greenberg, Betsy - BC](#); [Harris, Susan - BC](#); [Lavani, Sunil - BC](#)
Cc: [Moore, Andrew](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#)
Subject: More issues about the traffic impact of Austin Oaks PUD
Date: Monday, October 24, 2016 3:27:12 PM

Once again, I'm writing out of concern about the traffic impact that the proposed Austin Oaks PUD will have on the surrounding neighborhood. I wonder if the Traffic Impact Analysis study has factored in the potential effect that this development, combined with the scenario that this article in today's Statesman outlines, will have. Here is the article:

<http://www.mystatesman.com/news/news/local/mopac-toll-rate-from-far-west-take-a-guess/nst8S/>

Reading this article, and living within half a mile of the proposed PUD, I can envision two major problems:

1. With drivers entering MoPac southbound at Far West and attempting to cross several lanes of traffic to get to the express lane, there will be an increase in traffic accidents at this location, causing traffic backups that can stretch well to the north, making it more difficult for drivers trying to enter MoPac at Spicewood Springs and backing up traffic on the surface roads leading to the highway.
2. Drivers who want to avoid the dangerous Far West express lane entry will head north on neighborhood streets to enter MoPac at Steck or Spicewood Springs. This will add even more traffic to the already clogged roads ... where traffic is projected to quadruple under the existing proposal.

Please take all these factors into account and seek ways to limit the huge increase in density that the current proposal entails. Reducing building heights to five stories is a good start; there may be other ways to keep a future Austin Oaks from becoming the center of an entire gridlocked residential neighborhood. I urge you to consider all possible means to keep this area safe for those of us who already live here.

Thank you,
Kathryn Cramer
3700 Orrell Court
Austin TX 78731

Kathryn Cramer

[REDACTED]
512-909-8248

From:

To: [Perales, Marisa - BC](#); [Maceo, Peggy - BC](#); [Guerrero, Linda.h - BC](#); [Neely, Mary Ann - BC](#); [Thompson, Pam - BC](#); [Smith, Brian - BC](#); [Moya, Michael - BC](#); [Creel, Andrew - BC](#); [Smith, Hank - BC](#); [Grayum, Richard - BC](#); [Kiobassa, Jolene - BC](#); [Greenberg, Betsy - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Flores, Yvette - BC](#); [Breithaupt, Dustin - BC](#); [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Evans, Bruce - BC](#); [Lavani, Sunil - BC](#); [Harris, Susan - BC](#); [Guernsey, Greg](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#); [Mars, Keith](#); [Moore, Andrew](#)

Subject: I object to the Austin Oaks PUD in its current form: are they developing or flipping the property?

Date: Friday, September 23, 2016 3:59:32 PM

As someone who lives within one-half mile of the proposed Austin Oaks PUD, I object strongly to the current plans for the property. Nothing in their plan offers superiority over current uses. Among my reasons are these:

- The applicant proposes to use questionable methods to decide which Heritage and Protected trees on the site to cut down. This may result in the significant loss of healthy trees.
- There is no Land Use Plan attached to the new material, nor are certain estimates required by the city's PUD ordinance included in the submission.
- The applicant continues to use height estimates that may allow them to argue for buildings even taller than eight stories when the Site Plan is discussed.
- Negotiations are not yet final to determine how much the applicant should pay to mitigate the estimated 19,648 trips per day that the PUD will generate, compared to the current 4,086.
- The applicant is asking for Cocktail Lounge and Medical Office uses, both of which may increase traffic counts above the estimated 19,648 trips per day.

I also recall, from the charrette, that the applicant said they did not build or manage hotels or residential properties, so they would sell the two parcels designated for those uses to other companies. They also said that medical offices were a subspecialty, one they did not deal with. So if they are granted that use, will they sell off another piece of the property to yet another company? This leads me to wonder: is the applicant a developer or a flipper? What's going to be left if they keep selling off parcels?

Please consider these factors and realize that this high-density, high-rise proposal is not in keeping with the predominantly residential character of the surrounding neighborhood.

Thank you – Kathryn Cramer, 3700 Orrell Court, Austin TX 78731

Kathryn Cramer

kathryncramer@att.net

512-909-8248

From:

To: [Kiolbassa, Jolene - BC](#); [bc-Betsy.Greemberg@austintexas.gov](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [bcYvette.Flores@austintexas.gov](#); [Breithaupt, Dustin - BC](#); [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Evans, Bruce - BC](#); [Lavani, Sunil - BC](#); [Harris, Susan - BC](#)

Cc: [Guernsey, Greg](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#); [Mars, Keith](#); [Moore, Andrew](#)

Subject: Austin Oaks project

Date: Thursday, September 15, 2016 10:01:34 AM

To members of the ZAP Commission,

I would like to urge you to not support the development of the Austin Oaks tract with near the intensity proposed by the developers. Such a development is simply not suitable right up against a calm residential neighborhood. For example, it appears the developer is claiming 19,648 trips per day from the project by the year 2024.

If we reckon these to occur over an 8 hour business day that is close to one per second! Moreover, if there is appreciable night time use because there is/are restaurants or cocktail lounges, such traffic intensity seems crazy for that area. Already in the morning we can have to sit through two or more lights on Spicewood and Mopac. It is hard to imagine how increased car, but especially truck, traffic will not be greatly disruptive to a residential environment. Also, the planned development of housing there with the influx of more children to Doss/Murchison seems ridiculous since those schools can hardly handle the kids already there. Doss just added the new portables, but this is no way to manage a school. And it appears that the development as planned will be quite detrimental to a large number of trees in the area. Finally, it seems that much of the dollar cost of mitigating these issues (traffic management adjustments, schooling...) would not be borne by the developer but by us, the taxpayers.

You, that is the City, need not create various zoning and environmental exemptions that allow this intense development to move forward.

There are plenty of thinly developed already commercial areas which could be better developed. You don't have to impose such vigorous development of Austin Oaks on us.

Thank you for your understanding,
David Goldstein
7700 Chimney Corners Drive
78731

From:
To: [Guernsey, Greg](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#); [Mars, Keith](#); [Moore, Andrew](#)
Subject: Austin Oak PUD
Date: Tuesday, September 13, 2016 2:51:25 PM

As a business owner and resident in the Northwest Hills area I am very concerned about the following issues with the Austin Oaks PUD application:

- The applicant proposes to use questionable methods to decide which Heritage and Protected trees on the site to cut down. This may result in the significant loss of healthy trees.
- There is no Land Use Plan attached to the new material, nor are certain estimates required by the city's PUD ordinance included in the submission.
- The applicant continues to use height estimates that may allow them to argue for buildings even taller than eight stories when the Site Plan is discussed.
- Negotiations are not yet final to determine how much the applicant should pay to mitigate the estimated 19,648 trips per day that the PUD will generate, compared to the current 4,086.
- The applicant is asking for Cocktail Lounge and Medical Office uses, both of which may increase traffic counts above the estimated 19,648 trips per day.

I urge you to deny the application until all of the issues are addressed. The traffic increases will adversely affect my business at 3818 Spicewood Springs Rd Ste 201. And, tall looming buildings at this beautiful wooded site are not appropriate for our family neighborhood.

Thank you for your consideration.

Sincerely,

Janet C Hagy

Janet C. Hagy, CPA
Hagy & Associates, P.C.
3818 Spicewood Springs Rd.
Suite 201
Austin, TX 78759
512-346-3782
Fax 512-346-7307
Email: jhagy@hagycpa.com

From: [REDACTED]
To: Gabriel.Rojas@austintexas.gov; Jolene.Kiolbassa@austintexas.gov; Thomas.Weber@austintexas.gov; Ana.Aguirre@austintexas.gov; Ann.Denkler@austintexas.gov; Bruce.Evans@austintexas.gov; Yvette.Flores@austintexas.gov; Sunil.Lavani@austintexas.gov; Susan.Harris@austintexas.gov; Betsy.Greenberg@austintexas.gov; Dustin.Breithaupt@austintexas.gov
Cc: Moore.Andrew; Rusthoven.Jerry; Lesniak.Chuck
Subject: Austin Oaks PUD -- Just Say No
Date: Monday, October 17, 2016 6:47:21 PM

Dear ZAP Members,

I have lived in NWHills for many years. It is sad that the voice of the community is falling on deaf ears in regards to this development. The NWHills HOA and others have said "NO" more than once. However, this PUD will not go away!

Based on the data available, the additional residences, businesses, and office area are going to harm the neighborhood that is loved by those that live in it. The "developer" purchased the land with the buildings and zoning in place. That should have been the end of the story. The city continues to do things to increase the bank account without regard to what they are doing to the people that live in these communities.

Reviewing data available it is hard to believe anyone is really doing their job to capture accurate information.

TRAFFIC STATS:

- Now 4,086 trips per day
- Previous PUD (2015) 19,819 trips per day
- NWACA's Charrette PUD (Jan. 2016) "17,000 trips per day"
- Current PUD (Oct. 2016) 19,648 trips per day (per TIA), 380% increase over current (net new trips 15,562 per day)
- By Staff's TIA Memo dated Oct. 6, 2016, a number of impacted intersections fail at a much greater rate even after the applicant's total of only \$628,000 in mitigation offered.

BUILDING HEIGHT STATS:

- WG asked for 5 stories (60 ft) max; limited to current zoning baseline entitlement, which we are now told is about 1M sq. ft., current 445,322 sq. ft.
- Previous PUD (2015) 8 buildings; 6 at 7-10 floors; 1.28M total sq. ft.
- Current PUD (2016) 12 buildings + 5 garages; 11 at 6-8+ floors (by MSL figures); 1.191 Million sq. ft.

(Land Use Plan needs to get rid of conflicting and site specific MSL -mean sea level-building height figures)

TREE STATS:

- WG asked to reduce # of impacted Heritage & Protected trees
- Previous PUD (2015) 8 Heritage trees to be cut down, 1 Heritage tree to be transplanted, tree survey by code every 5 years.
- Current PUD (2016) 13 Heritage trees & 31 Protected trees to be cut down (proposed), Same 2013 tree survey used for 25 years.

(Good review of that at <http://austintx.swagit.com/play/10052016-808>)

As a leader, I would expect clear and accurate data to support the community concerns. If the

desire is for the developer to proceed, the developer should should:

- a. The applicant fully mitigate the increased traffic as some of these intersections become "dangerously unsafe" even after the proposed mitigation (for example Greystone @ MoPac; stats for Executive Ctr @ MoPac are left out of Staff Memo), last year applicant offered \$10M in traffic mitigation, now only offering \$628K in traffic mitigation;
- b. Get rid of the MSL (mean sea level) figures on the building heights in the Land Use Plan, those are site specific (this is not a site plan) and in conflict with stated building heights; and
- c. Scale back the variances and impact on the Heritage and Protected trees. NO 25 year tree survey (trees grow 10" diameter in that time) and follow the Heritage and Protected tree Ordinances. Applicant CAN do it.
- d. What about schools, road wear-and-tear/improvement, community services, utilities, police support, and other necessities.

I would prefer that this project be moved to a more suitable site in Austin. That is available for such a development and can support additional infrastructure (schools, parks, streets, etc..). Placing this PUD in an already crowded community: with schools over-capacity, traffic out of control, low/no public transportation --- just does not make sense.

I expect this to be included in the back-up materials on this case to ZAP and to Council.

Thank you!
Jill Klucher

Jill Klucher
(512)587-4878

From: [Adrienne Lallo](#)
To: [Maceo, Peggy - BC](#); [Guerrero, Linda.h - BC](#); [Neely, Mary Ann - BC](#); [Thompson, Pam - BC](#); [Smith, Brian - BC](#); [Moya, Michael - BC](#); [Creel, Andrew - BC](#); [Smith, Hank - BC](#); [Grayum, Richard - BC](#)
Cc: [Gallo, Sheri](#); [Guernsey, Greg](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#); [Mars, Keith](#); [Moore, Andrew](#)
Subject: Austin Oaks
Date: Sunday, September 18, 2016 2:45:25 PM

Dear Environmental Commission Member,

While we support the concept of containing sprawl in Greater Austin, we also believe that dense development should preserve successful, safe neighborhoods. In the main, Northwest Hills is one such community.

We like this part of Austin because it isn't flashy, attracts families that are interested in education, and values the gifts of senior citizens, judging by the people who live on our wonderful block, just off Hart Lane.

Unfortunately, commercial development along Far West Blvd. is mainly unattractive impervious cover. We have affordable housing units on Wood Hollow Dr. that have been allowed to fall out of compliance with City Code. It makes us wonder if the neighborhood can sustain further development.

For the past three years, we've listened as Spire Realty and anti-PUD community members work toward compromise. Now the matter is in your hands.

As you weigh the choices before you, please consider:

- Air quality and the health of children and adults with chronic conditions are compromised by cars idling at "failing intersections." Without sufficient traffic mitigation, intersections in the area's surrounding neighborhoods will fail.

As a corollary, what role can Austin Oaks play in encouraging area residents to become more savvy commuters to other employment centers in Austin?

- A combination of heritage, protected and new trees is best. Young trees consume more carbon dioxide than fully mature trees. However, it takes them years to contribute to shade cover and they also are more dependent on water. Please make sure that Austin Oaks is a model of sustainable land use and pursues LEED designation.
- If the plans are based on junk information and vagaries, the developer will be within its rights to maximize profit based on junk information and vagaries.

Please hold the Austin Oaks PUD application to the highest standards, not to deter smart development for Austin, but to send a strong message to developers that they had better bring their A game. In the end, it is the developers who will prosper from their holdings in our community. Residents, on the other hand, will have to put up with air, noise, light and material pollution, and the likelihood of eroded property values.

Adrienne and Ed Lallo
7504 Stonecliff Dr. in the Northwest Oaks III subdivision of Northwest Hills
Austin, Texas 78731

From: [REDACTED]
To: [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Kiolbassa, Jolene - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Breithaupt, Dustin - BC](#); [Evans, Bruce - BC](#); [Flores, Yvette - BC](#); [Greenberg, Betsy - BC](#); [Harris, Susan - BC](#); [Lavani, Sunil - BC](#)
Cc: [Moore, Andrew](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#)
Subject: THE AUSTIN OAKS PUD
Date: Sunday, October 16, 2016 5:30:07 PM

Dear Zoning and Platting Commission,

On Tuesday, October 18, you are scheduled to hear the Austin Oaks PUD case. I am writing to urge you to reject the PUD as not superior.

You probably have heard that the Environmental Commission did not approve the PUD as superior, and they were correct in doing so.

The applicant should have to comply with the Heritage and Protected tree ordinances. They should not be able to wait 25 years before doing another tree survey -- trees grow a lot in that amount of time.

People in the neighborhood are concerned that the building heights will change because the applicant is using Mean Sea Level on the land use plan. We're worried that buildings will actually be taller than specified in the PUD application. Do we really want to set a precedent for buildings that tall in neighborhoods between 183 and 360? Once you ok this for the Austin Oaks site, you've opened the door for other neighborhoods...and that's definitely not superior.

The applicant should have to fully mitigate the traffic hell they're proposing for the neighborhood. Under the plan, we'll go from 4,086 trips per day to almost 20,000 (Twenty. Thousand. Trips.) Many of our neighborhood intersections are already failing, even without this huge influx of traffic. Last year, the applicant offered \$10 million in traffic mitigation, which has now dropped to \$628,000...which really won't do anything.

Lastly, you're going to hear a lot about a community park. How much of that "parkland" is land that is unbuildable? How much of that space will actually welcome children and be suitable for play? How many people in the neighborhood really want an amphitheater that will bring even more people and traffic into the neighborhood?

Also, please do not be misled about neighborhood support for this project. I am a NWACA member and I did not support the Charrette outcome. That process was a kangaroo court whose outcome was predetermined. They are posting information about the progress of the plans without stating the source of the information. When asked the source of the information, they do not respond.

Thank you for your service to the community. Please include my letter in the back-up materials on this case to the City Council.

Sincerely,

Tela Goodwin Mange
7104 Spurlock Dr
Austin TX 78731

From: [REDACTED]
To: [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Kiolbassa, Jolene - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Breithaupt, Dustin - BC](#); [Evans, Bruce - BC](#); [Flores, Yvette - BC](#); [Greenberg, Betsy - BC](#); [Harris, Susan - BC](#); [Lavani, Sunil - BC](#); [Moore, Andrew](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#)
Subject: Austin Oaks PUD
Date: Sunday, October 16, 2016 8:48:37 PM

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My husband and I live at Green Trails, directly across the street from this development. We are concerned that the building heights will change because the applicant is using Mean Sea Level on the land use plan. We're worried that buildings will actually be taller than specified in the PUD application. Do we really want to set a precedent for buildings that tall in neighborhoods between 183 and 360? Once you ok this for the Austin Oaks site, you've opened the door for other neighborhoods...and that's definitely not superior.

The applicant should have to fully mitigate the astronomical increase in traffic they're proposing for the neighborhood. Under the plan, we'll go from 4,086 trips per day to almost 20,000. We have lived on Green Trails for 26 years and the traffic from the current development has never increased nor been problematic to the neighborhood. So for 26 years, the traffic has increased in the neighborhood but not from this development. Now you are being asked to approved a development that will increase the traffic to a magnitude that is unconscionable. We moved into this neighborhood because of the green spaces and the exceptional schools for our children. It was a safe place for our kids to ride bikes to school. This proposed development will ruin our neighborhood and the quality of life that we enjoy today. Many of our neighborhood intersections are already failing, even without this huge influx of traffic. Last year, the applicant offered \$10 million in traffic mitigation, which has now dropped to \$628,000...which really won't do anything. This development doesn't belong in an established neighborhood!

I know you're going to hear a lot about a community park. How much of that "parkland" is land that is unbuildable? How much of that space will actually welcome children and be suitable for play? Living directly across the street from the location of the proposed amphitheater, I can promise you that we do NOT want it in this so called "parkland".

I keep hearing that the neighborhood supports this proposed PUD and I can promise you that isn't correct. I am a NWACA member and I did not support the Charrette outcome. My husband and I were only able to attend one night of the Charrette and that just happened to be the night that they were taking the vote. No one told us ahead of time that the vote would be taken that night and the

whole process was nothing more than just a matter of going through the motions. That process was a waste of time for everyone because the outcome was predetermined.

I have lived in Austin for 52 years, grew up in S. Austin and moved to my home on Green Trails in 1990. We have raised our children in our current home and it is home base for them still today, even though they are now adults and live in another city. It breaks my heart to think that we will have to move if this PUD is approved because the traffic it will generate will ruin the quality of life for the residents of this great neighborhood. Every school that is fed by this neighborhood is overcrowded and this PUD will only exacerbate that problem. Please do not ruin our homes, our quality of life, our neighborhood, by approving this PUD. It is NOT SUPERIOR!

Sincerely,

Diane Newberry
3801 Green Trail N
Austin, TX 78731

From: [Guernsey, Greg](#)
To: [Rusthoven, Jerry](#); [Moore, Andrew](#); [Rivera, Andrew](#)
Subject: FW: Austin Oaks PUD - Staff TIA Memo
Date: Monday, October 17, 2016 8:21:12 AM
Attachments: [AOTIAStaffMemoSummarySpreadsheet.pdf](#)

FYI

From: Brad Parsons [mailto: [REDACTED]]
Sent: Saturday, October 15, 2016 4:17 PM
To: Guernsey, Greg
Subject: Re: Austin Oaks PUD - Staff TIA Memo

Oct. 15, 2016

Mr. Guernsey:

Attaching a summary spreadsheet that is in support of the points made in the 2 neighborhood requests (NSCNA & NWAN) yesterday for a 2 week postponement on the case, the first neighborhood requests for postponement since the case began. There are a number of errors in the TIA delay time LOS table data. The attached spreadsheet lists only the intersections with the worst delay of time LOS, there are numerous other errors in the TIA table data from the applicant's TIA.

Beyond the 2 week postponement request, with regard to traffic impacts, we are particularly concerned that there is no effective mitigation proposed or agreed to at the Greystone & MoPac EB intersection **equal to what is offered at Executive Center and MoPac, a deceleration AND acceleration lane. WE SEE THIS AS A GRAVE SAFETY ISSUE that could be reasonably mitigated.**

Sincerely,

Brad Parsons
3706 Greystone Dr.
ANC Sector 1 Rep.

[illegible]

From: [REDACTED]
To: [Weber, Thomas - BC](#)
Cc: [Moore, Andrew](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#)
Subject: Austin Oaks PUD
Date: Sunday, October 16, 2016 10:13:24 AM

Dear Commissioner Weber - Please vote no on the Austin Oaks PUD as is. There are several issues that concern me.

1. 13 Heritage trees and 31 protected trees are to be cut down in the current proposal. Previously it was 8 Heritage trees to be cut down and one transplanted. Cutting down 43 trees is outrageous to me.
2. A tree survey that is good for 25 years is unacceptable. Some of these trees can grow up to 10" in that amount of time. Please stay with the current code of surveying the trees every 5 years.
3. Traffic mitigation - The previous PUD of 2015 had car trips at 19,819 trips per day. What came out of the charrette was 17,000 car trips per day. Current PUD, as of October 16, now has 19,648 car trips per day per the TIA. What specific traffic mitigation can be done with the \$628,000 offered by the developer? Per staff's TIA memo dated October 6, 2016, a number of impacted intersections fail at a much greater rate even after the applicant's total of only \$628,000 in mitigation funding. What happen to the \$10,000,000 figure?
4. What affordable housing is offered?

Thank you for your service to our city. I really appreciate it.

Stephanie Ashworth
District 10 constituent
7608 Parkview Circle
Austin, TX 78731

From: [REDACTED]
To: [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Kiolbassa, Jolene - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Breithaupt, Dustin - BC](#); [Evans, Bruce - BC](#); [Flores, Yvette - BC](#); [Greenberg, Betsy - BC](#); [Harris, Susan - BC](#); [Lavani, Sunil - BC](#)
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Austin TX 78731

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Austin, TX 78731

From: [Guernsey, Greg](#)
To: [Rusthoven, Jerry](#); [Moore, Andrew](#); [Rivera, Andrew](#)
Subject: FW: Austin Oaks PUD - Staff TIA Memo
Date: Monday, October 17, 2016 8:21:12 AM
Attachments: [AOTIAStaffMemoSummarySpreadsheet.pdf](#)

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Sent: Saturday, October 15, 2016 4:17 PM
To: Guernsey, Greg
Subject: Re: Austin Oaks PUD - Staff TIA Memo

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Brad Parsons
3706 Greystone Dr.
ANC Sector 1 Rep.

[illegible]

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To: [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Kiolbassa, Jolene - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Breithaupt, Dustin - BC](#); [Evans, Bruce - BC](#); [Flores, Yvette - BC](#); [Greenberg, Betsy - BC](#); [Harris, Susan - BC](#); [Lavani, Sunil - BC](#)
Cc: [Moore, Andrew](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#)
Subject: Austin Oaks PUD
Date: Sunday, October 16, 2016 5:45:24 PM

Hello. I am writing as a member of the Austin Oaks charrette working group because I am concerned about the proposed Austin Oaks PUD. I have three main problems: (1) the result of the charrette process, because the final plan that resulted, completely ignored previous votes taken during the charrette; (2) the current proposal contradicts that final plan that came out of the charrette, clearly in terms of traffic and the number of trees being removed and seemingly in terms of building heights; and (3) the proposal sets a precedent for exceeding current zoning and producing 6-8 story buildings up and down MOPAC, indeed, throughout the city.

I hope you appreciate my concerns, which are shared by many in the NW Hills and around the city, and that you will oppose the proposed PUD and recommend that the developer reduce the scale of the project. What we voted on Wednesday night of the charrette – 4-story buildings along Spicewood Springs and 6-story buildings along MOPAC – and what was subsequently ignored when drafting the final plan represents a useful starting point. In case you are interested, I provide more detail below on how the charrette process worked.

Thank you,

Chris Wlezien
5921 Mount Bonnell Road
Austin, Texas 78731

Observations on the January 25-29, 2016, charrette:

1. I and various others who attended every night thought that the charrette process was going well from its beginning on Monday morning through Wednesday night, as it reflected the input from the various workshops we conducted in advance as well as the preferences of charrette participants. The process went off the rails on Thursday night. That night we voted on a plan that ignored the votes from the night before. On Wednesday night we voted for no residential and then an option with 4 stories along Spicewood Spring and 6 stories along MOPAC. These were difficult decisions for the neighborhood to take, as we were exceeding current zoning and so were supporting a PUD. We arrived on Thursday expecting to see a plan that reflected the votes of the night before, but that was not the case. Instead, we were presented with an option that included residential, had 5 stories along Spicewood and 7 stories along MOPAC, and approached 1.2 million square feet, bundled with various amenities on which we were not given the opportunity to vote. I expected a plan of approximately 1,050,000 square feet with no more than 6 stories. This was one that would have passed very easily, approaching unanimity, I think, particularly if it included some amenities. But, note I and most others I know who attended did not even expect a vote, as it was not indicated in the charrette plan and we in the working group were not notified.

2. How they arrived at the recommended plan was and is not clear. I have asked the working group but, like the votes from Wednesday night of the charrette, my questions were ignored by the developer and his representative. One person in the group told me that the facilitators/designers had to make trade-offs, e.g., to include residential, height had to go above 6 stories. I replied that this would have been understandable had we voted for residential and 6 stories, where a trade-off was required/implied. The response was that they relied on Post-Its charrette attendees had placed on the displays on Wednesday night, which showed support for residential. I then asked about what Post-Its showed on Thursday night and was told they were about even. It seems that when leaders didn't like votes, as on Wednesday night, they ignored them, and when they did like the votes, as on Thursday night, they accepted them. Why vote at all? Why not just rely on Post-Its? Why even include the public? Two people who I didn't know before the charrette told me that they felt like the community just didn't matter in the end – one said that “we wasted our time.”

3. The resulting plan, while preferred to the code-compliant plan, is not the community's “consensus plan.” This partly reflects what I say in point 1 above. It also reflects the fact that support for the plan in a vote against code-compliant is not a basis for inferring consensus. Consider that the rationale for the charrette is ***not*** that it produces an alternative that is better than code-compliant, but that it produces the community's preferred alternative. Hundreds of plans could have beaten the code-compliant option, including the one we voted on Wednesday night of the charrette. That approximately 60% voted for the plan supports what I am saying, as it is hardly consensus. And keep in mind that the voters that night were not a random or representative sample of the neighborhood, as few of us knew there would be a vote and many who attended on Wednesday night stayed home on Thursday, thinking the important decisions had already been made.

 Christopher Wlezien
 University of Texas at Austin
 Department of Government
 158 W 21st ST STOP A1800
 Austin, TX 78712-1704

E-mail: [REDACTED]
 Homepage: <http://www.utexas.edu/cola/depts/government/faculty/cw26629>
 Journal: <http://poq.oxfordjournals.org>
 e-
 Book: <http://press.uchicago.edu/ucp/books/book/chicago/Other/bo19211950.html>
 Book: <http://press.uchicago.edu/ucp/books/book/chicago/T/bo13948250>
 Book: <http://www.cambridge.org/9780521687898>
 Book: <http://www.russellsage.org/publications/who-gets-represented>

From: [REDACTED]
To: [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Kiolbassa, Jolene - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Breithaupt, Dustin - BC](#); [Evans, Bruce - BC](#); [Flores, Yvette - BC](#); [Greenberg, Betsy - BC](#); [Harris, Susan - BC](#); [Lavani, Sunil - BC](#)
Cc: [Moore, Andrew](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#)
Subject: Zoning change for Austin Oaks Planned Unit Development, C814-2014-0120
Date: Sunday, October 23, 2016 9:02:30 PM

Re: Zoning change for Austin Oaks Planned Unit Development, C814-2014-0120

The Summerwood Homeowners Association requests that the City of Austin deny the current Austin Oaks Planned Unit Development (PUD) zoning application.

If the PUD is built as most recently proposed, it will negatively impact traffic and our environment. Based on a transportation impact analysis, daily car trips are expected to increase by more than 15,000 trips per day, meaning vehicles will idle for exorbitant periods of time at intersections that are already failing. Too many heritage and protected trees will be eliminated. The height of the office buildings will be unsightly and degrade the character of the neighborhood.

We recognize that new development/redevelopment is inevitable. However, proposed projects should include measures to preserve and/or enhance the quality and beauty of our 40-year-old community. The Austin Oaks PUD proposal does not preserve or enhance; it does not belong in our neighborhood.

We respectfully ask that the Austin Oaks owner/developer be required to implement traffic infrastructure modifications for both sides of the intersection at Steck Avenue and MoPac, where we are likely to see vehicular logjams due to massive amounts of cut-through traffic. We also ask that the owner/developer redesign the project to scale back its impact on heritage and protected trees and keep building heights at/near levels allowed by current zoning.

Please reject the zoning change proposal for Austin Oaks Planned Unit Development, C814-2014-0120.

We also request that this letter be included in the Zoning and Platting Commission back-up materials.

Sincerely,

Julie Rawlings
President,
Summerwood Homeowners Association

From:
To: [Perales, Marisa - BC](#); [Maceo, Peggy - BC](#); [Guerrero, Linda.h - BC](#); [Neely, Mary Ann - BC](#); [Thompson, Pam - BC](#); [Smith, Brian - BC](#); [Moya, Michael - BC](#); [Creel, Andrew - BC](#); [Smith, Hank - BC](#); [Grayum, Richard - BC](#)
Cc: [Kiolbassa, Jolene - BC](#); [Greenberg, Betsy - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Flores, Yvette - BC](#); [Breithaupt, Dustin - BC](#); [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Evans, Bruce - BC](#); [Lavani, Sunil - BC](#); [Harris, Susan - BC](#); [Guernsey, Greg](#); [Rusthoven, Jerry](#); [Lesniak, Chuck](#); [Mars, Keith](#); [Moore, Andrew](#)
Subject: PUD proposed for Austin Oaks
Date: Wednesday, September 14, 2016 1:26:11 PM

Hello,

I am gravely concerned that the proposed PUD to replace Austin Oaks Business Park is a serious mistake. It seems that the new development would need to be called North Austin Skyscrapers—NO Oaks! Traffic congestion, the terrain, and building height concerns all suggest this project does not fit in North Austin. We don't want this development. We don't need this development. We won't be able to adapt to the drastic changes this development will make in this highly congested intersection at MOPAC and Anderson Lane. The developer's numbers are all suspect and require intense scrutiny by all responsible City jurisdictions. Austin Oaks is not a business park that needs to be replaced.

Sincerely,

Ron W. Coldiron

6509 Marblewood Dr.

Austin, TX 78731

Former NWACA Board Member

From: [REDACTED]
To: [Weber, Thomas - BC](#); [Rojas, Gabriel - BC](#); [Kiolbassa, Jolene - BC](#); [Denkler, Ann - BC](#); [Aguirre, Ana - BC](#); [Breithaupt, Dustin - BC](#); [Evans, Bruce - BC](#); [Flores, Yvette - BC](#); [Greenberg, Betsy - BC](#); [Harris, Susan - BC](#); [Lavani, Sunil - BC](#)
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Subject: Austin Oaks PUD
Date: Sunday, October 16, 2016 5:45:24 PM

Hello. I am writing as a member of the Austin Oaks charrette working group because I am concerned about the proposed Austin Oaks PUD. I have three main problems: (1) the result of the charrette process, because the final plan that resulted, completely ignored previous votes taken during the charrette; (2) the current proposal contradicts that final plan that came out of the charrette, clearly in terms of traffic and the number of trees being removed and seemingly in terms of building heights; and (3) the proposal sets a precedent for exceeding current zoning and producing 6-8 story buildings up and down MOPAC, indeed, throughout the city.

I hope you appreciate my concerns, which are shared by many in the NW Hills and around the city, and that you will oppose the proposed PUD and recommend that the developer reduce the scale of the project. What we voted on Wednesday night of the charrette – 4-story buildings along Spicewood Springs and 6-story buildings along MOPAC – and what was subsequently ignored when drafting the final plan represents a useful starting point. In case you are interested, I provide more detail below on how the charrette process worked.

Thank you,

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Observations on the January 25-29, 2016, charrette:

1. I and various others who attended every night thought that the charrette process was going well from its beginning on Monday morning through Wednesday night, as it reflected the input from the various workshops we conducted in advance as well as the preferences of charrette participants. The process went off the rails on Thursday night. That night we voted on a plan that ignored the votes from the night before. On Wednesday night we voted for no residential and then an option with 4 stories along Spicewood Spring and 6 stories along MOPAC. These were difficult decisions for the neighborhood to take, as we were exceeding current zoning and so were supporting a PUD. We arrived on Thursday expecting to see a plan that reflected the votes of the night before, but that was not the case. Instead, we were presented with an option that included residential, had 5 stories along Spicewood and 7 stories along MOPAC, and approached 1.2 million square feet, bundled with various amenities on which we were not given the opportunity to vote. I expected a plan of approximately 1,050,000 square feet with no more than 6 stories. This was one that would have passed very easily, approaching unanimity, I think, particularly if it included some amenities. But, note I and most others I know who attended did not even expect a vote, as it was not indicated in the charrette plan and we in the working group were not notified.

2. How they arrived at the recommended plan was and is not clear. I have asked the working group but, like the votes from Wednesday night of the charrette, my questions were ignored by the developer and his representative. One person in the group told me that the facilitators/designers had to make trade-offs, e.g., to include residential, height had to go above 6 stories. I replied that this would have been understandable had we voted for residential and 6 stories, where a trade-off was required/implied. The response was that they relied on Post-Its charrette attendees had placed on the displays on Wednesday night, which showed support for residential. I then asked about what Post-Its showed on Thursday night and was told they were about even. It seems that when leaders didn't like votes, as on Wednesday night, they ignored them, and when they did like the votes, as on Thursday night, they accepted them. Why vote at all? Why not just rely on Post-Its? Why even include the public? Two people who I didn't know before the charrette told me that they felt like the community just didn't matter in the end – one said that “we wasted our time.”

3. The resulting plan, while preferred to the code-compliant plan, is not the community's “consensus plan.” This partly reflects what I say in point 1 above. It also reflects the fact that support for the plan in a vote against code-compliant is not a basis for inferring consensus. Consider that the rationale for the charrette is ***not*** that it produces an alternative that is better than code-compliant, but that it produces the community's preferred alternative. Hundreds of plans could have beaten the code-compliant option, including the one we voted on Wednesday night of the charrette. That approximately 60% voted for the plan supports what I am saying, as it is hardly consensus. And keep in mind that the voters that night were not a random or representative sample of the neighborhood, as few of us knew there would be a vote and many who attended on Wednesday night stayed home on Thursday, thinking the important decisions had already been made.

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October 26, 2016

TO: ZAP Commissioners

CC: Andrew Moore, Case Manager, Austin Oaks PUD
Planning and Zoning Department

While we all have been working with the Austin Oaks PUD submission for almost three years, some of the background and history may not be fresh in your minds, so I offer the following information to help you with your deliberations next week. Much of this is from my personal perspective, which is sometimes difficult to separate from the duties I've performed as NWACA President during 2014-15, and now as a member of the NWACA Board and its Zoning and Transportation Committee. Please consider this my personal message, though – it is not a message from the NWACA Board.

Factors that we need to keep in mind – and that have played a part in how I've worked on this PUD:

- Austin will continue to grow and change; Northwest Hills will be part of that change. Austin Oaks will be part of that change, whether we like that or not.
- Our population evolves; neighbors who've been here for decades move on, and new families move in. They have needs some current residents may not have – local playgrounds and parks are among those.
- As change happens, many of us would like to preserve the environment and character of our neighborhood. However, tradeoffs will need to be made. Our traffic issues are like those in the rest of the City, all of it exacerbated by increasing levels of housing stock in the outlying areas. Density is a tradeoff that helps mitigate traffic issues, given that public transit is made available to serve the density.
- Preserving trees as we add to our population requires more density; the more we sprawl, the more trees we lose.

From the start of this case, I've been part of the NWACA team working to inform the neighbors and reflect their voice to the decision-makers on this case.

- We gathered the community in August 2014 (311 people) to learn about the first PUD plan. That meeting gave a clear message to the owner's representative that the plan was unacceptable.
- We polled the community 3 times
 - once at the August meeting
 - once a month later to get to a larger audience (where 85% of the 683 respondents opposed the plan)
 - again in February, 2015 to get the reaction of the neighborhood to a set changes proposed by the owner's representative (where 82% of the 501 respondents opposed the plan and 14% said more adjustments were needed)
- We met with the developer's representative and other neighborhood groups for a year, trying to find a way forward, but failed. In June 2015, the NWACA Board asked the City and the owner to provide the neighborhood with a charrette, where neighborhood input could be gathered.
- That request was answered at a ZAP meeting in September, 2015 and the owner did a "reset," bringing in a new team. Jon Ruff, the owner, and his new representative, Michael Whellan, met with neighborhood representatives on October 7 to kick off a new approach.

- The group at that meeting designated a subgroup as the charrette Working Group, which worked on the communications to the neighborhoods about the charrette events, including 2 information meetings and 2 input gathering meetings prior to the week-long charrette workshop held the last week of January, 2016. For the most part, the group worked well together and in good faith, as the charrette was prepared.
- The Working Group selected a nationally-respected charrette facilitator, Doug Farr, and they chose a local renowned design team, TBG, to provide the designers for the charrette. Throughout, the group was coordinated by Ben Luckens and me – he well-experienced in charrettes, and me reading about the details of how to run a charrette and doing a lot of legwork to ensure it all ran well.
- The charrette proceeded with a schedule agreed to by the working group, but there was disagreement (after the charrette) about several elements of the charrette:
 - A “Code Compliant Plan” was inserted into the mix but understood in different ways. The charrette design team, the charrette organizers, and some participants saw it as a baseline, against which their charrette designs would be gauged. It is very common for charrettes to have such a baseline; it’s never intended to be a candidate outcome. Some participants saw it as a true alternative to be evaluated and pushed for it to be considered as such.
 - In our planning, the process of getting to a final outcome was described as a consensus process that’s used in all charrettes, to whittle down the choices each evening as the charrette progressed. In the middle of the charrette design week, some participants convinced Doug Farr to conduct a vote. That vote was originally planned for Wednesday evening, but audience questions and discussion went so late that we had to leave the premises before that vote could happen. It was then conducted on Thursday night with those who were present Thursday night.
- Because the charrette was done by nationally-respected professionals and it followed the charrette process, the NWACA board supported the outcome of the charrette. It was the best means that the Board could find for getting community input in an organized way. A resolution to that effect was passed on February 10, 2016.
- The Working Group came apart a few weeks after the charrette, when those unhappy with the outcome separated from NWACA representatives; I can’t speak to the work they’ve done since.
- NWACA formed a Zoning Committee sub-committee to review the post-charrette round of PUD documents that were submitted to the City, to ensure that the proposal was in agreement with the outcome of the charrette. That committee spent many hours reviewing each update, identifying issues, talking them over with Mr. Whellan, and meeting with City Staff in several departments to get questions answered.
- Based on the sub-committee’s work, the NWACA Board found that the submission now before you supports the outcome of the charrette, and they expressed that in their resolution of September 14, 2016. What is in the submission conforms to the charrette outcome, balancing tradeoffs among the 4 T’s – trees, tall, traffic, and “t’schools,” to quote Doug Farr.

In getting to a good outcome, we’re all making tradeoffs. I see those tradeoffs as worthwhile:

- With the PUD, we get an agreement in which the neighborhood has a say. We set conditions that need to be met, and we have a City ordinance with which to enforce them.

- We have language now in the submitted Land Use Plan that ensures that the neighborhood will be informed of any change – even administrative changes – before they are approved, so that we can speak to them.
- With this PUD, we get a mixed used development, with retail and restaurants and housing; without the PUD, we live with whatever the owner chooses to build on that site, most likely all office space.
- With this PUD, we get parks – a 2.37-acre Neighborhood Park, a .52-acre Heritage Park, and a 5.24-acre Creek Park – all public usable green space that will be deeded to the City of Austin. In addition, we get \$1.5M of funding to develop the Neighborhood Park. Without this PUD, we get none of that.
- With this PUD, we minimize the impact on school overcrowding by keeping the housing units relatively small. We also get affordable housing – 10% of the 250 units are designated as affordable housing units. And half of those are offered at an income level that fits AISD teachers, with teachers having preference for those units – enabling those who teach in the nearby area schools to live in the neighborhood.
- With this PUD, we get traffic mitigation from the owner to help contend with the traffic generated. Without the PUD, we'll get at least the same number of 19,000 total trips/day – it could be as much as 25,000 or more. With the PUD, we get a cap on additional traffic and we get at least the 4 traffic improvements required of the owner. We trust that the City and TXDOT will provide other funds to help with the inevitable traffic congestion and that which we see now.
- With this PUD, we get creek restoration – enhancing the Creek Park mentioned above. That's a significant investment we would not get without the PUD.
- With this PUD, we sacrifice some trees, but we get additional trees planted. And... heritage trees will naturally grow from what is there now and from the small ones that are planted. Our tradeoffs don't naturally appear - Parks don't grow from saplings or seeds; teacher housing doesn't; retail doesn't; restaurants don't.

I've done my best to keep the neighborhood's many interests in mind throughout his process, and I've tried to keep an even keel in how I talk about it. I'd ask that other neighbors do the same. We all have the same goal – a vibrant, happy neighborhood.

A lot of time has gone into the 2.5 years of the PUD proposals. I can personally account for at least 600 hours, 70 of them in the charrette week alone. Others have also spent a lot of time. How many ZAP meetings? How many hour of ZAP Commissioner meetings, emails, reading time? It's now time that we move on and get decisions made. I urge you to support this proposal and get it moved on to City Council.

Thanks very much!

Joyce Statz