

Austin Oaks Comment Response Memorandum

April 30, 2015

The responses below are in response to the comments received by the City of Austin on October 3, 2014 for the Austin Oaks PUD case number C814-2014-0120.

Austin Energy Electric – David Lambert (2014-08-06)

1. FYI: Any relocation of existing electric facilities shall be at developer's expense.
2. FYI: Ron Solbach at ph. 512-504-7145 or Ronald.solbach@austinenergy.com is the initial Austin Energy contact for electric service design.
3. FYI: Austin Energy's electric system maps show an underground electric duct bank that runs along the lot line between Lot 5, Koger Executive Center Unit 3 and Lot 6A, Resub of Lot 6, Koger Executive Center Unit 3.
4. This duct bank not only powers the building on Lot 6A but also the properties to the south across Executive Center Drive.

Noted.

Austin Energy Green Building Program - Richard Morgan (2014-08-25)

1. Please have the developer contact us about the proposal.

The development team has had discussions with Austin Energy regarding the proposal.

2. The developer has proposed a 3 Star rating from Austin Energy Green Building to qualify for Tier 2 PUD status. Achieving a 3 Star rating on this project may be challenging.

Based on discussions with Austin Energy, the PUD will now comply with the Austin Energy Green Building program at a 2-star level. See PUD Note 6.

3. Speculative buildings find it difficult to achieve the full range of points available in the AEGB rating system because many energy efficiency, water conservation and IEQ measures depend on the tenant finish-out package. All such points need to be incorporated in a Tenant Lease Agreement, and a protocol must be established for review and verification of tenant compliance. These tenant requirements may limit the ability of speculative buildings to achieve higher level ratings.

Noted.

4. Austin Energy Green Building strongly recommends that the development team contact Liana Kallivoka, the Commercial Green Building Supervisor to discuss the opportunities and difficulties associated with pursuing a 3 Star rating on this site before committing the project to that level of sustainability.

Based on discussions with Ms. Kallivoka, the PUD has revised its original

commitment such that the PUD shall comply with the Austin Energy Green Building program at a two-star level. See Note 6 on the Land Use Plan.

5. The acceptable wording for the green building requirement is:
Development of the property shall comply with the requirements of the Austin Energy Green Building (AEGB) multifamily, single family or commercial rating system for a minimum two (three)-star rating. Certification from AEGB shall be based on the version of the rating system in effect at the time ratings applications are submitted for individual buildings.

The note has been updated accordingly. See Note 6 on the Land Use Plan.

6. Under Exhibit D-9, 7, Alternative Transportation the electric vehicle charging needs to be more explicit. Our preferred language is.
The project will provide 40 public dedicated spaces and charging infrastructure for electric vehicle charging within the project. A minimum of 25% of the charging infrastructure will be level 2 (240v) and participate in Austin Energy's Plug-In EVerywhere™ network. The remaining spaces can provide electric service via level 1 (120v) ruggedized outlets.

The note has been updated accordingly. See PUD Note 14.

Austin Independent School District – Beth Wilson (2014-08-18)

An educational impact statement is required. Due to the lack of information provided, AISD staff cannot complete the impact statement at this time. Please provide additional information as to the residential component of this proposal.

The project will contain a maximum of 277 multifamily units. This project is a long-term multi-phase development. At this time, a unit mix for the residential component of the project is not known.

See Note 4 on the Land Use Plan.

Neighborhood Housing & Community Development – Javier Delgado (2014-08-28)

10% of residential units serving households at 80% mfi or below. Long term affordability will be secured via a re-sale restrictive covenant giving the Austin Housing Finance Corp. first right of refusal.

The project will comply with the affordable housing requirements of the City of Austin's Planned Unit Development ordinance based upon final density numbers.

See Note 43 on the Land Use Plan.

PARD – Planning – Marilyn Shashoua (2014-08-06)

UPDATE 0:

1. Demonstrate compliance with Tier 1 requirements for Open Space as required in Section 2.3.1.C Provide easy estimate breakout/comparison for open space, including breakouts for

each PUD category, i.e. residential, commercial percentages and acreages. (Sheet 1)

Use	Acreage/square footage	Percentage	Requirement
Residential	8.05 acres/ 350,658 sf	10%	35,065.8 sf
Industrial Tracts	N/A	15%	N/A
Nonresidential	25.31 acres/ 1,102,503.6 sf	20%	220,500.72
Total:	31.37 acres		255,566.52 sf/ 5.86 acres

The PUD will provide a minimum 7.33 acres of open space, 25% above the Tier I requirement. The location of open space is indicated on Page 1 of the Land Use Plan. See PUD Note 23.

2. Remove from open space acreage calculations any land encumbered or proposed to be encumbered by easements or rights-of-way or any other encumbrances that would restrict development. Water quality features must be designed as an amenity to be counted toward open space in accordance with 2.3.1 Tier One Requirements for PUDs:

All PUDs must:

C. provide a total amount of open space that equals or exceeds 10 percent of the residential tracts, 15 percent of the industrial tracts, and 20 percent of the nonresidential tracts within the PUD, except that:

- 1. a detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity; and*
- 2. the required percentage of open space may be reduced for urban property with characteristics that make open space infeasible if other community benefits are provided*

The proposed open space areas are in compliance with these requirements.

3. FYI: The parkland dedication fee of \$650/dwelling unit is required [25-1-601] and must be paid before any site plan or subdivision may be approved [25-1-605(B)].

Noted.

PDRD Comprehensive Planning Review - Kathleen Fox (2008-07-22)

SF-3, LO, LR, GR to PUD

This zoning case is located on a 31.3 acre site located on the south side of Spicewood Springs Road and on either side of Wood Hollow Drive, which is adjacent to Mopac to the west. The

property is not located within the boundaries of a neighborhood planning area. The site contains an office complex and the developer wants to build a mixed use project with residential elements including residential townhomes, multi-family apartments, retail, and office uses. The proposed project will contain approximately 610 dwelling units, 100,000 sq. ft. of retail, and 850,000 sq. ft. for offices and plans are in the works for a Jewish Community Center.

Imagine Austin

The site is located over the Edwards Aquifer Recharge Zone, as identified on the Imagine Austin's Environmental Resources Map, found in the Image Austin Comprehensive Plan (IACP). An aquifer contributing zone is an area where runoff from precipitation flows to the recharge zone of an aquifer. Streams in the contributing zone flow downstream into the recharge zone and "contribute" water to the aquifer.

It is also located within the boundaries of '**Neighborhood Center**', as identified on the Imagine Austin's Growth Concept Map. A Neighborhood Center is the smallest and least intense of the three types of activity centers outlined in the Growth Concept Map, with a focus on **creating local businesses and services**—including doctors and dentists, shops, branch libraries, dry cleaners, hair salons, coffee shops, restaurants, and other small and local businesses that generally serve the center and surrounding neighborhoods. The following IACP policies are also relevant to this case:

- **LUT P1.** Align land use and transportation planning and decision-making to achieve a **compact and connected city** in line with the growth concept map.
- **LUT P3.** Promote development in **compact centers**, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- **LUT P7.** Encourage infill and redevelopment opportunities **that place residential, work, and retail land uses in proximity to each other to maximize walking, bicycling, and transit opportunities.**
- **H P1.** Distribute a **variety of housing types** throughout the City to expand the choices able to meet the financial and lifestyle needs of Austin's diverse population.
- **N P1.** Create complete neighborhoods across Austin that have a **mix of housing types and land uses, affordable housing and transportation options, and access to schools, retail, employment, community services, and parks and recreation options.**

Based upon: (1) abutting residential, office, and commercial land uses located in this area, which is along a major corridor; (2) the property being located within the boundaries of a Neighborhood Center, which supports mixed use, including residential, office and retail uses, and; (3) the Imagine Austin policies referenced above, which supports a variety of land uses, including mixed use centers, staff believes that this proposed mixed use development promotes the Imagine Austin Comprehensive Plan as long as environmental ordinances are considered and enforced.

Noted. Thank you.

PDRD Drainage Engineering Review - Benny Ho (2014-07-21)

RELEASE OF THIS APPLICATION DOES NOT CONSTITUTE A VERIFICATION OF ALL

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

This site is located at 3429 Executive Center Drive in the Shoal Creek Watershed, which is classified as an Urban Watershed.

DE1. There is no outstanding drainage engineering related issue.

All drainage engineering comments are cleared.

PDRD Environmental Review - Atha Phillips (2014-07-24)

Update 0

1. Please provide an Environmental Assessment to the Environmental Reviewer. This could create additional impediments to development. Additional comments from the COA ERM hydrogeologist and wetland staff may be generated once this information is received.

An Environmental Inventory Assessment is provided for your review.

2. Please show all the critical environmental features (CEFs) such as wetlands, rimrocks and springs, and their associated buffer setback on the land use plan.

All CEF's and their associated setbacks have been added to the Land Use Plan.

3. Please also indicate the COA fully developed 100 yr. floodplain on the land use plan. Please provide an exhibit including a development plan with accompanying drainage area map for the areas draining to the tributaries in this section. This should include all current code the waterway setbacks and those proposed per the proposed PUD regulations for waterways with acreage of 64 acres and greater. These setbacks are based on the COA fully developed 100yr floodplain and those limits should also be indicated.

The City of Austin fully developed 100 year floodplain is indicated on Page 1 of the Land Use Plan.

4. Any environmental variances to current code should be requested as exceptions within the proposed PUD. Please list those exceptions and provide explanations for the overall superiority of the PUD in relations to these exceptions. Additional comments may be generated.

No environmental variances are requested with this Planned Unit Development.

5. Please provide a side-by-side analysis of how the proposed PUD compares to current code, including how this affects developable acreage. Also, indicate how the PUD plans to provide overall environmental superiority over current code.

Included in this update, please find a Summary of Environmental Superiority chart detailing the requested information.

6. This comment is pending approval of the ERI and CEF issues with the ERM section. Additional comments from ERM will need to be addressed.

Noted.

7. Please further clarify and explain how this PUD will provide superior environmental advantages over conventional zoning.

A Summary of Environmental Superiority is included for your review.

8. Remove Note #15 from the PUD NOTES located on Sheet 2.

Note 15 on the initial submittal appears to be the Art in Public Places note, is there a different note we should be referencing?

9. Please reconcile notes found in Tier II Requirement #2 and PUD NOTES on Sheet 2 #14, so that the language is consistent.

Notes have been updated on both the PUD Land Use Plan and the superiority chart.

10. In Note 9 of the PUD notes. Please clarify this note by stating how much you plan to exceed the requirements.

The Land Use Plan note indicates that the project will exceed the landscape requirements by a minimum of 10% of code requirements. See Note 26 on the Land Use Plan.

11. Please go through the land development code 25-2 and 25-8 and speak to each item listed. We must know specifically what items you are trying to modify and which items you plan to be superior.

The PUD is not requesting any environmental variances to the land development code. The included Summary of Environmental Superiority and Tier I and II Compliance Chart detail the items to the City Code the PUD intends to exceed.

12. A general proposed development exhibit that calls out open space areas and addresses tree protection would also be helpful.

Page one of the Land Use Plan has been updated to show open space locations. Please see note 35 and page 4 of the Land Use Plan regarding tree preservation.

Fire Department Review Cora Urgena (2014-08-19)

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

APPROVED WITH COMMENTS – UPDATE 0

PDRD Flood Plain Review - David Marquez (2014-08-06)

No comments

PDRD Heritage Tree Review - Keith Mars (2014-08-07)

1. It does not appear a proposed PUD requirement is an exemption or modification of the Heritage Tree Ordinance. However, the tier compliance letter states that the design will preserve a very high percentage of protected and heritage trees. We should identify during the PUD process if heritage tree variances will be requested.

The PUD is not requesting any variances to the heritage tree ordinance. See PUD Note 35 regarding tree removal as well as page 4 of the Land Use Plan.

2. Please provide a tree survey. If possible, please provide a conceptual preservation/removal table to determine the extent of trees to be preserved.

A tree survey is included as page 4 of the Land Use Plan. See Note 35 on the Land Use Plan regarding tree preservation and removal.

PDRD Site Plan Review – Rosemary Avila (2014-08-05)

1. Please clarify #7 on Tier 1 requirements. Civic space will not exceed 1,500 sq ft. Is that going to be adequate?

Based on discussions with the Austin Fire Department Wildfire Division, the amount of space suggested is adequate. This is a commitment to the amount of space to be provided “rent-free” not a limitation on total Civic space.

2. Please label the base zoning or site data table for each area.

Please see page one of the Land Use Plan for site development regulations for each area. Additionally, please see Notes 1 and 2 on the Land Use Plan.

3. Are you planning on complying with Subchapter E?

Yes, compliance with subchapter E is anticipated with the exception of the alternative equivalent compliance requested to sections 2.2.1, 2.2.3 and 3.2.2. This request is noted in the Modifications to Code chart on the Land Use Plan.

4. Label the open space, prove that there will be 20% as stated in the Tier 1 requirements.

The minimum amount of open space is indicated on page one of the Land Use Plan. Additionally, see Note 23 of the Land Use Page.

5. Please clarify if you are requesting for AEC for the whole site or not.

Yes, the AEC requested is for the entire site.

6. Provide compatibility cross-section along Hart Lane and Spicewood Springs Rd to prove compatibility.

The PUD is requesting a variance such that compatibility standards are not applicable to Areas A and B of the Land Use Plan, see code modification requests on page 2 of

the Land Use Plan.

7. Please provide a more specific site development chart that shows more of a breakdown.

See page one of the Land Use Plan. Please let me know if there is additional information you are looking for.

8. FYI- Cocktail Lounges require a Conditional Use Permit.

The PUD has requested to add cocktail lounges as a permitted use within the nonresidential portion of the PUD. See page two of the Land Use Plan.

PDRD Transportation Review - Bryan Golden (2014-08-04)

TIER 1 REQUIREMENTS (Division 5. Planned Unit Developments)

1. Requirement #2: PUD Note #1- Remove part "D" of note. On-street parking will be determined on a per project basis at site plan review. Please add note that parking structures will have minimal visual presence from neighborhood property owners and public ROW, through use of architectural elements and screening.

Part d of this note has been included in the Note. The purpose of the inclusion is to allow for the possibility of on-street parking. If part d is removed, on-street parking may not be permissible.

The requested addition, regarding visual presence has been incorporated to the PUD notes. See PUD Note 7.

2. Requirement#2: PUD Note #19- Bicycle and pedestrian facilities and road cross section will be reviewed by Austin Transportation Department. Associated comments may follow. Pedestrian connection (mid block) from Executive Center Drive through "Area A" to Spicewood Springs Road is recommended.

Noted.

3. Requirement #9: Mitigate adverse cumulative transportation impacts with sidewalks, trails, and roadways (2.3.1). Bike and Trails will review PUD and may provide additional recommendations. Please consult with Capital Metro regarding the need for additional mass transit (bus) stop(s) and Austin Transportation Department regarding any requirements of the "High Capacity Transit Stop"; provide results of consults.

Based on discussions with City departments a trail will be provided through the PUD. See PUD Note 46.

The PUD incorporates the donation of \$25,000 Capital Metro for transit improvements in the surrounding area. See PUD Note 17.

4. Requirement #10: PUD Note #11 - Gated roadways are prohibited (2.3.1) Please add driveways equipped with controlled access gates must provide a minimum of 40 feet of storage space measured from the gate to the street property line. Additional storage space may be required if a TIA or traffic study warrants. If the entry drive is from an arterial street,

the applicant may also be required to provide a means for a vehicle to turnaround and exit the driveway without backing into the street, in case the gate is closed and access is denied [TCM, 9.5.0 #2; 9.3.0 #3; TCM, 5.1.0].

Noted. The PUD will not contain gated roadways. Additionally, modifications to the TCM are not requested as part of this PUD. See PUD Note 9.

5. Compliance with Chapter 25-2, Subchapter E will be required (2.3.2(A)).

Noted.

6. Requirement #2 (Additional PUD Mixed Use requirements): PUD Note #12- This proposal is within the urban roadway boundary, therefore all sidewalks must comply with CoreTransit Corridors: Sidewalks and Building Placement; Section 2.2.2, Subchapter E, Chapter 25-2 (2.3.2(B)) Add southern edge of Spicewood Springs to note where Subchapter E comments will be required and note that sidewalks along Mopac will require TxDOT approval.

Due to site constraints including slope and existing trees, sidewalks meeting Core Transit Corridor regulations are not currently proposed along Spicewood Springs and Mopac Expressway.

TIER 2 REQUIREMENTS (Division 5. Planned Unit Developments)

7. Requirement #7: PUD Note #19,24 – Please specify how above-code level bicycle parking will be met

Please see Note 15 on the land use plan.

8. Requirement #9: PUD Note #9- Must comply with requirement. Alternative configurations may be considered.

Noted.

9. Requirement #12: PUD Note #22- Provide for accessibility for persons with disabilities to a degree exceeding applicable legal requirements. Accessible dwelling units apply to Affordable/Smart Housing requirements only. Specify transportation based accessibility.

Please let us know what you are looking for related to transportation based accessibility.

ZONING

10. The Austin Metropolitan Area Transportation Plan calls for 140 feet of right-of-way for Spicewood Springs Road. If the requested zoning is granted for this site, then 70 feet of right-of-way from the existing centerline should be dedicated for Spicewood Springs according to the Transportation Plan. [LDC, Sec. 25-6-51 and 25-6-55].

Noted. Right-of-way will be addressed at the subdivision or site plan stage of the development.

11. Additional right-of-way may be required at the time of subdivision and/or site plan.

Noted.

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

An update to the TIA is in process. We are working diligently to turn this around as soon as possible. We understand that all comments will not be cleared until an updated TIA is provided and reviewed.

***** TIA comments will be provided in a separate memo *****

13. Existing Street Characteristics:

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

PDRD Water Quality Review - Benny Ho (2008-07-21)

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

This site is located at 3429 Executive Center Drive in the Shoal Creek Watershed, which is classified as an Urban Watershed.

WQ1 FYI., Redevelopment impervious cover exceeding 8,000 sf requires water quality control meeting the current water quality standard. It is therefore not considered to be superiority.

All water quality comments are cleared.

PDRD Austin Water Utility Review - Bradley Barron (20140718)

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

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

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

1. A minimum separation distance of 5 feet from all other utilities (measured outside of pipe to outside of pipe) and AWU infrastructure;
2. A minimum separation distance of 5 feet from trees and must have root barrier systems installed when within 7.5 feet;
3. Water meters and cleanouts must be located in the right-of-way or public water and wastewater easements;
4. Easements AWU infrastructure shall be a minimum of 15 feet wide, or twice the depth of the main, measured from finished grade to pipe flow line, whichever is greater.
5. A minimum separation of 7.5 feet from center line of pipe to any obstruction is required for straddling line with a backhoe;
6. AWU infrastructure shall not be located under water quality or detention structures and should be separated horizontally to allow for maintenance without damaging structures or the AWU infrastructure.
7. The planning and design of circular Intersections or other geometric street features and their amenities shall include consideration for access, maintenance, protection, testing, cleaning, and operations of the AWU infrastructure as prescribed in the Utility Criteria Manual (UCM)
8. Building setbacks must provide ample space for the installation of private plumbing items such as sewer connections, customer shut off valves, pressure reducing valves, and back flow prevention devices in the instance where auxiliary water sources are provided

Public Works – Bicycle Program: Nathan Wilkes (2014-08-11)

1. Bicycle lanes on Hart Lane are complete. Bicycle Lanes on Wood Hollow will be complete this year.

Noted.

2. Request: Showers on site for tenants and employees per South Shore PUD From South Shore: "A building containing one or more GR uses, including cocktail lounge, totaling 5,000 square feet or more shall include shower facilities for bicycle riders. Such a building containing 20,000 square feet or more of GR uses including cocktail lounges, shall provide one facility for each gender. Otherwise, the building shall provide one unisex facility. The facilities shall be separately accessible from commercial / retail toilet facilities and include an area for changing clothes and storing personal items. The facilities may be located outside of the building in a common area accessible to all buildings subject to this requirement."

This request has been incorporated into the PUD. See Note 15 on the Land Use Plan.

3. Request: Secure Bicycle Parking per South Shore PUD (bicycle parking rooms in buildings for occupants, tenants and employees in addition to short term bicycle parking for the

general public). From South Shore: "For every ten vehicle parking spaces in the PUD, the owner shall provide one bicycle parking space. At least half the total spaces shall be either (a) Class I racks / parking spaces as defined in the City Transportation Criteria Manual or (b) spaces in a locked bicycle storage room with a means to secure individual bicycles within the room. Review and approval of bicycle parking placement by the City of Austin Bicycle Program or any successor program is required prior to site plan approval."

This request has been incorporated in the PUD. See note 15 on the Land Use Plan.

4. Request: SUP along MoPac along site frontage. If additional superiority was desired limits could extend to the south connecting Far West to Spicewood Springs Road. This would create a tie in to the work that the Mopac Improvement Project is doing to improve the trail crossing at Far West to the east across the railroad tracks.

Due to the significant number of trees, including heritage trees, constructing a path along MoPac is not feasible as part of this PUD.

5. Request: Bicycle Lanes with 8' parking and 6' bicycle lanes and 10' travel lanes on Wood Hollow and Executive Center Drive internal to site. Current proposed cross section from developer uses substandard lane widths.

This request has been incorporated into the PUD. See page three of the Land Use Plan for the updated section.

Watershed Protection: Wetland Biology: Andrew Clamann (2014-08-22)

1. Please show all Wetland CEFs and label them "Wetland CEF" (FYI: The previous figures that I had seen did not include the wetland CEFs located in the upstream reach).

All CEF's have been added to the Land Use Plan. See page one of the Plan.

2. Please show a contiguous 50ft CEF setback from centerline on both sides of creek.

The setback has been added to the Land Use Plan. See page one of the Plan.

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

Please see note 33 on the Land Use Plan.

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

Please see notes 29, 33 and 36 on the Land Use Plan.

Zoning comments are in response to an application (including land use plan and superiority chart) dated July 16, 2014.

Staff is aware the proposal may change in light of meetings with other departmental and interdepartmental staff, as well as meetings with neighborhood stakeholder groups. While any such changes may be reflected in an update to the application, such changes are not explicitly anticipated in the comments that follow.

Staff is also aware that proposed uses and quantities (e.g., 100,000 square feet of retail) may change throughout the review process. Please ensure consistency between the Traffic Impact Analysis (TIA), the land use plan (LUP) and the Superiority Table.

SUPERIORITY TABLE

Tier 1 Compliance/Superiority Table

In general, please ensure consistency between specifics in the Table and Notes on the Land Use Plan. If numbers have been specified on one, please specify and match in the other.

Item #2

- 1) Upon completion of the tree survey and coordination with the City Arborist, please specify the exact number of trees (preserved and heritage) that will be protected. What is the plan for mitigation?

Please see note 35 and page 4 of the Land Use Plan.

- 2) Please elaborate or define “innovated design and high quality construction”.

The project is committed to exceed the building design requests of City Code. See note 42.

- 3) Given that the parking garages would be multiple stories with multiple stories of office above, how will their visual presence be minimized architecturally (given they will be too tall to screen)?

See note 7 on the Land Use Plan.

Item#5

- 4) What is the source of your data that this redevelopment will provide 3500 permanent jobs?

This number was based upon industry standard calculations.

Item#6

- 5) Specify the reduction in impervious cover levels –in terms of to what’s there today, and what could be if the project were developed under a GR/MU scenario. Elsewhere it is indicated the site will be at 65% IC, but what’s the reduction?

Currently, the development consists of 66% existing impervious cover. The PUD is limited to 50% impervious cover, a reduction of 16%. Additionally, under GR-MU, a maximum of 90% impervious cover is permitted.

Item#6

- 6) What has the response been from these COA departments? If not interested, have you also approached PARD or other City departments about satellite office space? Is this space also included in the civic square feet?

The City of Austin wildfire division is excited about space.

Mixed Use Items

Item#2

- 7) Sidewalk is also proposed along the east side of Hart Lane (note 12). If you are not proposing construction of a sidewalk along Mo-Pac, are there other connectivity options or enhancements proposed between the proposed PUD and the surrounding neighborhoods?

Yes, the PUD proposes extension of offsite bicycle lanes and the construction of pedestrian and cyclist signals along Farwest Boulevard. See PUD Notes 12 and 16.

Item#3

- 8) Should this be re-phrased as multiple story or multi-story office building? What's the difference between a mixed-use building and the commercial buildings? As staff understands the proposal, there are essentially four possible building types: office, office with retail/civic uses; office with retail/civic uses and/or residential uses, and residential only.

This shall apply to all non-residential buildings.

Tier 2 Compliance/Superiority Table

1: Please provide the square feet. Provide calculations showing how this number was derived. If the exact number is unknown, provide a minimum.

Use	Acreage/square footage	Percentage	Requirement
Residential	8.05 acres/ 350,658 sf	10%	35,065.8 sf
Industrial Tracts	N/A	15%	N/A
Nonresidential	25.31 acres/ 1,102,503.6 sf	20%	220,500.72
Total:	31.37 acres		255,566.52 sf/ 5.86 acres

2: Please provide calculations.

4: Provide documentation that the Art in Public Places Program is amendable to your proposal. What is meant by "providing the art directory"?

Directory should be directly to indicate art on site.

7: Will spots for EV charging also be provided to residents? Presumably, “the public” includes both visitors and employees of office spaces. What amount of bicycle parking is required and will be provided? See also the bicycle reviewers comments for shower facilities and other requests.

The charging stations will be available for residents, tenants, and visitors of the project. Bicycle parking and amenities, as requested, are incorporated in the project. See notes 14 and 15 on the Land Use Plan.

9: Areas A, D, and E have frontage on MoPac, but these buildings also have frontage to Executive Center Drive, Wood Hollow or Spicewood Springs. Will the sides that face these streets have pedestrian oriented uses?

These areas will contain pedestrian oriented uses. The exact location of those uses is yet to be determined.

10: The site development regulations for maximum height, maximum floor area ratio, and maximum building coverage in a PUD with residential uses may not exceed the baseline except with compliance to Section 2.5.2 (a report approved by NCHD and commitment for on-site affordable housing or donation in lieu of), as development bonuses.

- 1) If the residential component remains, has such a report been filed with the NCHD
- 2) Do you have alternative proposals if the residential component is reduced or removed?

The project will be in compliance with this requirement.

Land Use Plan Comments – Sheet 1

- 1) The LUP depicts “minimum” open zones distributed throughout the site. Please approximate the size of these areas.

The acreages have been added to the larger of these areas with total open space calculations provided in the legend.

- 2) The superiority chart and the LUP notes refer to tracts as “area”. For the sake of consistency, please change “Proposed Parcel Boundary” to area; alternately, change reference from area to parcel, or everything to “tract.”

The legend has been updated to reflect the requested modification.

Land Use Plan Comments – Sheet 2 – Notes

1: Surface parking for visitors – is this associated with the townhomes or also for office and retail patrons?

See revised PUD Note 7. A limited amount of surface parking is intended for the use of visitors to the office and retail components of the project.

3: Please provide the square feet. Provide calculations showing how this number was derived.

Use	Acreage/square footage	Percentage	Requirement
Residential	8.05 acres/ 350,658 sf	10%	35,065.8 sf
Industrial Tracts	N/A	15%	N/A

Nonresidential	25.31 acres/ 1,102,503.6 sf	20%	220,500.72
Total:	31.37 acres		255,566.52 sf/ 5.86 acres

The PUD will provide a minimum 7.33 acres of open space. The location of open space is indicated on Page 1 of the Land Use Plan. See PUD Note 23.

6. Is the meeting room space (Note 18) included in this amount? What other civic uses are contemplated? Is the 100,000 square feet of these three uses consistent with the TIA numbers?

The proposed retail, restaurant and civic numbers are consistent with the updated TIA. In addition, see Note 21 on the Land Use Plan for an updated commitment to restaurant space.

#13: Since this property is not in the WO, please list the pedestrian-oriented uses. Also, why is there no such use proposed on Area G?

The pedestrian-oriented uses are provided in a chart on page two of the Land Use Plan. Pedestrian-oriented uses are not required on Area G as the residential use is a permitted pedestrian-oriented use.

#15: This seems to need rewording. See also environmental reviewer's note #8.

This note is consistent with notes from previous PUD's. Please let me know what additional language you suggest.

#16: Trees are not depicted on the LUP. Will there be an exhibit or another sheet added?

Page 4 has been added to the Land Use Plan. This page indicated the heritage trees that will be preserved. In addition, see Note 35 on the Land Use Plan related to overall tree protection.

#25: Please refers to lots as areas or parcels (for consistency). Please indicate the Site Development Standards in the table supersede base district requirements for all tracts.

This is indicated in Note 1 on the Land Use Plan.

If the impervious cover is limited to 65%, explain how the building coverage can be higher.

Building coverage and impervious cover are both limited to 50% on the updated Land Use Plan.

What is the rationale behind inclusion/specification of minimum lot size and frontage? Related, are these values appropriate given a potential townhouse-style development?

Minimum lot size and frontage is consistent with the GR base district standards.

Land Use Plan Comments – Sheet 3

1. Please provide a table that identifies locations of new and existing sidewalks/bike lanes (in addition to what is listed in the legend)

Street	Existing Improvements	Additional Improvements
Executive Center Drive	Sidewalks	Core Transit Corridor Sidewalks* Bicycle Lanes
Wood Hollow Drive	Sidewalks	Core Transit Corridor Sidewalks* Bicycle Lanes
Hart Lane	Sidewalks Bicycle Lane	Core Transit Corridor Sidewalks*
Spicewood Springs	Sidewalks Bicycle Lane	

* Note that alternative equivalent compliance may be achieved in areas of existing trees.

2. Please identify heavy dashed line and solid line in legend (parcel/area/tract boundary and edge of pavement)

These lines are now indicated on the legend.

3. There are existing sidewalks, along Wood Hollow (both sides), Executive Center (north side), and along the MoPac Service Road that appear to be identified as new. Is this just a graphic error, or are the existing sidewalks being replaced with standard Core Transit Corridor sidewalks according as per the typical proposed cross-section? This might be clarified in the table requested in #1 above.

All sidewalks indicated on page 3 of the Land Use Plan will be brought into compliance with Core Transit Corridor sidewalks. To the extent that there is a conflict due to existing trees, alternative equivalent compliance will be achieved for those areas.

General Questions

1. Imagine Austin Comprehensive Plan

There has been much discussion about whether the proposal is a Neighborhood Center as envisioned in the Imagine Austin Comprehensive Plan, and whether this location is such. Please elaborate on what makes the proposal a neighborhood center and at this location.

2. Environmental Superiority

The proposal for redevelopment indicates superiority by bringing the site into compliance with current environmental regulations, especially as relates to water quality. Please explain to what degree the proposal is different than redevelopment of the site under a GR-MU or similar scenario.

See Notes 24, 25, 28, 29, 32, 34, 37, 38, 39 on the Land Use Plan.

Related, staff has field numerous requests for an accounting of what could be done with existing zoning entitlements. Staff recognizes that there are any number of scenarios (uses by space per use) that could be developed. Any use, or mix of uses, will have different parking requirements, and different traffic generating implications. At the same time, this is not a vacant greenfield; trees, compatibility requirements, other environmental features, traffic constraints, if any, and a developer's creativity and innovation would all come into play. Nonetheless, the question is forwarded: do you have an estimate of what could be developed, in terms of square feet and parking requirements, for a typical development under the existing zoning?

It is extremely difficult to estimate what could be developed on the site under existing zoning, due to the constraints listed, as well as others. Many of the constraints (such as trees) are subjective in nature, depending upon evaluations by city officials as to condition and health. The ability to achieve the goals of Imagine Austin relating to developing a true mixed use project (including residential) on the site is not possible under the existing zoning. Further, the specificity desired with respect to the inclusion of permitted uses (and limitations of such) in a redevelopment, designed to certain standards and conditions, would not be available under the existing zoning.

3. Height

The proposed height along Mo-Pac is several times that allowed under conventional GR or GO zoning. Outside the downtown area, and some examples along Barton Springs Road south of downtown, heights are generally determined by a base zoning district, such as office along Loop 360 or Southwest Parkway, or even elsewhere along Mo-Pac. There are two exceptions along Mo-Pac, the Domain (LI-PDA), which is capped at 150 feet, and commercial highway services (CH) zoning that is permissible along and north of US 183, which tops out at 120 feet. The Domain was envisioned as another "downtown" at the time of its adoption, whereas CH is seen as single major mixed use development of a service nature that includes any combination of office, retail, commercial, and residential uses.

A Please explain how the proposed heights were derived. Staff understands that an increase in open space/pervious cover is correlated to a smaller building footprint and thus height. Please explain how the proposed reduction in impervious cover translates into or

equates to increase in building height. Is there a logic or justification that relates these in some proportion?

B. Among the zoning principles staff must consider is 1) granting of the zoning should not in any way set an undesirable precedent for other properties in the neighborhood or within other areas of the city and 2) zoning should satisfy a public need and not constitute a grant of special privilege to an individual owner; the request should not result in spot zoning.

By its nature, a PUD is unique and customized zoning. But two questions among staff as relates to these principles are if the PUD is recommended and adopted, does this height set a precedent (negative, neutral, or positive) for other intersections along Mo-Pac? The concern goes to whether buildings that exceed current zoning districts are appropriate at these intersections. (Traffic at such intersections is also a concern, but presumably if part of the transportation/TIA review). Second, the community benefits proposed to meet superiority criteria aside, please explain the public need satisfied with this PUD application.

The proposed height has been modified to be twice that of conventional GR and GO zoning (120' maximum). The logic behind the additional height is derived from the goal to provide an amount of office space and retail that is attractive to potential users while also reducing the development footprint upon the site. Providing significant office space outside of downtown along various transportation routes helps relieve and reduce peak traffic to and from the downtown area. The site is also unique in that it is of significant size along Mo-Pac with a large area that has been designated by the Imagine Austin plan as a neighborhood center. Further, the site is in close proximity to Mo-Pac improvements, such as the managed lane and proposed high-capacity transit stop. No other site along Mo-Pac contains all of these elements, therefore the zoning does not create a precedent for other properties.

4. Increase in FAR

As depicted, it appears some areas will have a higher or lower FAR than allowed under the proposed PUD versus current zoning (on a per tract basis). In total, however, the FAR of 1.12 represents an increase of just over 55% across the entire site. Staff understands a reduced impervious cover leads to greater height if the FAR is held constant. How does a reduction in impervious cover also translate into a request for additional FAR?

The updated proposal has incorporated both a decrease in the requested FAR and impervious cover. The suggested impervious cover for the PUD is 50%, a 16% reduction on existing impervious cover.

In addition, the requested FAR has decreased to 1:1 for the entire site. See page one of the Land Use Plan for an breakdown per Area. The increase in FAR for a portion of the site over existing entitlements is a direct result of the decrease in impervious cover.

5. Bonus Development

Is residential only located in Areas A and G? Or will there be residential in other areas? Regardless of the underlying baseline, there is a difference between a bonus area of 20' versus an expanded bonus area. The requested difference in FAR and height (current zoning versus proposed) are 128% and 50%, and 87% and 50% for Areas A 7 G, respectively. Similarly, the biggest difference (between current and proposed) in FAR is for Area D (150%), as is the height (275%). Please elaborate and discuss how participating in affordable housing options for residential portions, if any, or other proposed community/neighborhood benefits are superior for the entire project (and not just for any

residential components). Staff recognizes the residential portion may be reduced or removed, so please discuss alternate scenarios and community benefits (i.e., superiority) as necessary.

Correct, the residential component of the project has been reduced, a residential use is only proposed on Area G of the Land Use Plan. Additionally, the residential component of the project will be limited to 277 units. The project intends to comply with the affordable housing component of the City's PUD ordinance either by providing onsite affordability or paying a fee.

This project is far superior to a project that can be developed under current regulations. Please see the enclosed superiority chart and page two of the Land Use Plan for a detailed description of the project's community benefits.

6. Benefits Summary

Based on previous experience, it appears Council prefers a listing or summary of all the public benefits, which may be slightly different than superiority items. In other words, what are the tangible and obvious public benefits that make this project superior to entitlements under existing (or even higher district) zoning for the community of Austin? To the extent you can provide a benefits summary, please do so.

The project as submitted in this PUD package is full of community benefits. These benefits have been detailed in two ways (a) in the superiority chart utilized to directly compare the requirements of PUD zonings, and (b) as enforceable items included as Notes on page two of the Land Use Plan.

CASE MANAGER – Lee Heckman – (512) 974-7604

A PRELIMINARY STAFF RECOMMENDATION CANNOT BE ISSUED AT THIS TIME BASED ON THE INFORMATION PROVIDED. A STAFF RECOMMENDATION WILL NOT BE ISSUED UNTIL THE ASSOCIATED TIA HAS BEEN APPROVED.

A formal update is required. Please submit 1 copy of updated materials and 1 copy of a response memo to INTAKE for distribution to each reviewer that provided review comments requiring a response. Please provide all required documentation to the individual reviewer who requested it. PLEASE CLEARLY LABEL ALL PACKETS WITH THE REVIEWER'S NAME.

Please provide three copies of update materials and response letters to Zoning Review/Case Management Please Note: You must make an appointment with the Intake Staff (974-2689) to submit the update. PLEASE BRING ALL COPIES OF THIS REPORT WITH YOU UPON SUBMITTAL TO INTAKE.

*** * * Additional comments may be generated as requested information is provided * * ***

Release of this application does not constitute a verification of all data, information and calculations supplied by the applicant. The engineer of record is solely responsible for the completeness, accuracy and adequacy of his/her submittal, whether or not city engineers review the application for code compliance.

Reviewers:

Austin Energy Electric Review – David Lambert 512-322-6109
Austin Energy – Green Building Program – Richard Morgan 512-482-5309
& Liana Kallivoka 512-482-5406
Austin Independent School District – Beth Wilson 512-414-9841
Comprehensive Planning Review (PDRD) – Kathleen Fox 512-974-7877
Drainage Engineering Review – Benny Ho 512-974-3402
Environmental Review (PDRD) – Atha Phillips 512-974-6303
Fire Department – Cora Urgena 512-974-0184
Flood Plain Review (PDRD) – David Marquez 512-974-3389
Heritage Tree Review (PDRD) – Keith Mars 512-974-2755
Legal Review – No comments at this time
Mapping Review – No comments at this time
Neighborhood Housing & Community Development – Javier Delgado 512-974-3154
PARD Planning – Marilyn Shashoua 512-974-9372
Public Works – Bicycle Program – Nathan Wilkes 512-974-7016
Site Plan Review (PDRD) – Rosemary Avila 512-974-2784
Transportation Review (PDRD) – Bryan Golden 512-974-3124
Water Quality Review (PDRD) – Benny Ho 512-974-3402
Watershed Protection: Wetland Biology (WPD) – Andrew Clamann 512-974-2694
Austin Water Utility Review (PDRD) – Bradley Barron (512) 972-0077
Zoning Review (PDRD) – Lee Heckman 512-974-7604
City Arborist (PDRD) – Michael Embesi 512-974-1876
Environmental Officer (WPD) – Chuck Lesniak 512-974-2699
LUR Supervising Engineer (PDRD) – Andy Linseisen

Case Management (PDRD) - Lee Heckman 512-974-7604