




**AUSTIN OAKS “PUD” APPLICANT
SUPERIORITY ANSWERS
STATUS CHART @ CITY V 1.0**

TIER ONE REQUIREMENTS	ANSWER by DEVELOPER to REQUIREMENT in APP	STATUS of REQUIREMENT w/CITY (NO CHANGES as of 9-9-14)
<p>1. Meets the objective of the City Code.</p>	<p>The project is located within an Urban Watershed and the City of Austin Desired Development Zone. The project is situated at the intersection of a Highway and a Major Arterial and is designed as a true mixed-use project containing office, retail and residential uses. This intersection was delineated as a Neighborhood Center in the City’s Imagine Austin plan. The project will provide substantial water quality benefits by replacing the current office project on the site (which has no water quality controls) with a project that fully complies with current water quality regulations. Additionally, the project will support affordable housing initiatives and is designed to be compatible with surrounding land uses. Finally, the project will provide density at an intersection that is shown to contain a High Capacity Transit Stop in the Imagine Austin Plan.</p>	<p>FAIL: The PUD does not meet the <u>intent</u> of a Planned Unit Development zoning district that indicates a development A neighborhood center in Imagine Austin is defined as: The smallest and least intense of the three mixed-use centers are neighborhood centers. Neighborhood centers are walkable, bikeable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks (NOT 31 ACRES) or around one or TWO intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a MIX of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods. Neighborhood centers range in size between ~5,000-10,000 people and 2,500-7,000 jobs. Comments: In 2008, Far West from Doss Elementary to Mopac was rezoned Vertical Mix Used and was designated a Neighborhood Center. (See Imagine Austin Appendix.) We have a wide variety of housing and existing density. The PUD does not provide the mix of uses needed to be a “true” Neighborhood Center. Of the 1,620,000 square feet proposed, the retail or civic uses constitute 5% of the</p>



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		<p>mix. Adding the uses to make it a real Neighborhood Center like a dry cleaners, a bank, a Starbucks, or a small grocery store significantly add to the traffic which adds 21,000 over existing conditions. Should the City require civic uses to “ensure adequate public facilities and development within the PUD” the traffic will also be higher than estimated.</p> <p>(LDC 25-2-144-B) there would be even less retail or no retail within the project. The project also does not provide a real mix of residential, adding 574 apartments and only 36 townhomes to an area with over 3,000 apartments between Far West and Spicewood Springs Road. Austin is now having to redevelop Riverside because there are too many apartments. How is putting apartments at a density level greater than MF-6 across from SF-3 or next to MF-2 compatible? While the project will meet compatibility requirements, the height of the buildings along Mopac are taller than any building outside of the Central Business District.</p> <p>Intent of Mixed Use Projects per LDC: 4.1. INTENT. </p> <p>This Article 4 is intended to provide for and encourage development and redevelopment that contains a compatible mix of residential, commercial, and institutional uses within close proximity to each other, rather than separating uses. The mixed use provisions define the uses of land and the siting and character of the improvements and structures allowed on the land in a manner that encourages a balanced and sustainable mix of uses. They promote an efficient pedestrian-access network that connects the nonresidential and residential uses and transit facilities. Redevelopment of underutilized parcels and infill development of vacant parcels should foster pedestrian-oriented residential and mixed use</p>
<p>2. Provide for development standards that achieve equal</p>	<p>The project will preserve the natural environment by utilizing a design that</p>	<p>Their plan will remove 9 Heritage trees and 45% of the protected trees (19” or more).</p>



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<p>or greater consistency with the goals in Section 1.1 than development under the regulations in the Land Development Code. Notes: 1, 6, 7, 17</p>	<p>allows a very high percentage of protected and heritage trees to be preserved. Additionally, the project will replace an office project that has no water quality controls with a mixed-use project that is fully compliant with current water quality regulations. In addition, the project will provide a high quality development by utilizing innovative design and high quality construction. Parking for the residential and office portions of the PUD will be provided in structured parking garages with at-grade parking to support the retail areas. Parking structures will be designed to minimize their visual presence, both architecturally and through screening of parking garages, from neighborhood property owners and public ROW. The architectural design utilizes a multi-building concept that steps down in height from east to west and south to north to minimize the impact to surrounding single family homes. The retail areas in the project will provide retail services that are currently needed in the area. The proposed on-site and off-site improvements for the project include enhancing pedestrian and bicycle access to and through the site.</p>	<p>Any project that redevelops has to redevelop to current water quality standards.</p> <p>Superiority Questions:</p> <p>There is nothing superior about the design. Screening is supplied with trees, they are having to tier the height of the development to meet compatibility requirements.</p> <p>How is the applicant enhancing pedestrian and bicycle access to an through the site? All existing and adjoining residential streets have sidewalks and bike lanes. Unless the applicant widens the bridges over Mopac to add in bike lanes, they are not providing the connectivity required for a PUD.</p>
<p>3. Provide a total amount of open space that equals or exceeds 10% of the residential tracts, 15% of the industrial tracts, and 20% of the</p>	<p>The project will meet or exceed the open space requirements contained in the PUD ordinance.</p>	<p>They are meeting this requirement because they are aggregating the impervious cover over the entire site. Tract C and Tract F have both flood plain and critical water quality zones.</p>



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<p>nonresidential tracts within the PUD, except that: a. A detention or filtration area is excluded from the calculation unless it is designed and maintained as an amenity, and b. The required percentage of open space may be reduced for urban property with characteristic that make open space infeasible if other community benefits are provided. Note 3</p>		
<p>4. Comply with the City’s Planned Unit Development Green Building Program Note</p>	<p>The project will comply with the City’s Green Building Program at a 3-Star Level (Note: Staff has interpreted the base standard for this Tier I item to be participation in the City’s Green Building Program at a 2-Star Level).</p>	
<p>5. Be consistent with the applicable neighborhood plans, neighborhood conservation combining district regulations, historic area and landmark regulations and compatible with adjacent property and land uses. Note 5 & 6</p>	<p>The PUD is proposing redevelopment consistent with the Neighborhood Center vision of the Imagine Austin Plan. The project will provide needed retail services for the surrounding area, as well as new jobs The residential use within the project will provide necessary density that will support the retail services and that is consistent with a sustainable Neighborhood Center to thrive. In addition, it is estimated that the office</p>	<p>Far West is considered a Neighborhood Center in Imagine Austin. (See Appendix). Imagine Austin also indicated there would be another Neighborhood Center called the Anderson Lane Station. This was likely to be located by the tracks east of Mopac. The height of the buildings along Mopac are taller than any building outside of the Central Business District and taller than what is proposed for Neighborhood Centers.</p>



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	<p>space within the redevelopment will provide 3,500 jobs, not including construction jobs, towards the 2,500 to 7,000 job total envisioned within these Centers.</p> <p>The project is not located within a City of Austin Neighborhood Planning Area nor a neighborhood conservation or combining district. The uses and design of the project are compatible with the surrounding properties. The project is fully compliant with all compatibility regulations and all taller office buildings are situated on the eastern and southern edge of the project away from the surrounding single family residential uses.</p>	
<p>6. Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt are as critical environmental features, soils, waterways, topography and the natural and traditional character of the land. Notes: 7, 14, & 16</p>	<p>The project is designed to preserve a high percentage of the protected and heritage trees on the site. Additionally, the project will be fully compliant with all current water quality regulations, thereby providing a substantial benefit since the current office project was built without any water quality controls. Finally, by utilizing structured parking garages and garages underneath office space in a “stacked” arrangement, the project substantially reduces impervious cover levels as compared to the current</p>	



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<p>7. Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service and police facilities. Note 2</p>	<p>office project on the site.</p> <p>The applicant will discuss with fire, police, and emergency service providers their needs in the area of the project, and if those providers need space within the project, such space will be provided as long as such space does not exceed 1,500 square feet and is located in a mutually satisfactory space within the project.</p>	<p>Public amenities are inadequate to serve a facility of this size. The closet parks are Murchison Pool and Stillhouse Canyon Preserve which are both a little over a mile away. The Dell Jewish Community Center, is a member only facility. After a onetime registration and maintenance fee, family registrations cost \$1,176 a year. The closest public schools, Doss and Murchison are over a mile away and over capacity. Every school listed on the application is over two miles away.</p> <p>Doss: 175% capacity (940 students/sized for 530). Only room for 2 portables on Mosby Field.) Hill: 135% capacity Highland Park: 115% capacity Gullett: 125% capacity. Murchison: 125% (Murchison is the only Middle School over capacity as of 2014.) Any percentage over 115% is considered unacceptable and boundary changes would increase neighborhood traffic. The addition of 610 residential units would add 125-150 to our schools. AFD: 1 pumper truck at Spicewood Station. It’s unknown if they’ll need to add a bay for a ladder truck since responses are based on response time. Land area for station is likely not to be sufficient to add a bay.</p>
<p>8. Exceed the minimum landscaping requirements of</p>	<p>The project will exceed the minimum landscaping requirements of the Code</p>	<p>No pesticides of any kind should be allowed to improve water quality for the threatened Jollyville</p>



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<p>the City Code. Notes: 8 & 9</p>	<p>and require the utilization of native and adaptive species and non-invasive plants per the Grow Green Program. In addition, an Integrated Pest Management program will be implemented following the guidelines developed by the Grow Green Program in order to limit the use of pesticides on site (Note: this is not a requirement under the base regulations).</p>	<p>Salamander.</p>
<p>9. Provide for appropriate transportation and mass transit connections to areas adjacent to the PUD district and mitigation of adverse cumulative transportation impacts with sidewalks, trails and roadways.</p>	<p>The project is situated in close proximity to entrance/exit point of the Mopac Managed Lane, currently under construction, allowing easy access into and out of the areas served by Mopac. The Imagine Austin Plan designated the adjacent Mopac/Spicewood Springs intersection as a “High Capacity Transit Stop”. Additionally, a Metro Rapid station is located at Anderson Lane east of Mopac, and, <u>a bicycle lane is located along Spicewood Springs allowing direct access to the Metro Rapid Bus Station.</u> Sidewalks in compliance with Chapter 25-2, Subchapter E, Section 2.2.2 (Core Transit Corridor Sidewalk and Building Placement) shall be provided adjacent to all streets that intersect or adjoin the project. A master TIA has been completed for this project and will be reviewed by staff upon formal</p>	<p>While Imagine Austin projected a light rail station at Anderson and Mopac, Project Connect does not show any plans for Urban Rail or Lone Star Rail at that location. The nearest Metro Rapid Bus stop is at Burnet Road and Anderson Lane over 2 miles away. The entrance to the toll lane on Mopac will be difficult to access across the 3 lanes of frontage road from existing travel. WHERE. The TIA did not include approved several rezonings that would have added to the background traffic on Spicewood and Far West. For example, VMU on Far West from Doss and Woodhollow and the Austin Board of Realtors. There is not proposed schedule for ACTUAL development. . The TIA shows several intersections failing over the course of the project. While the applicant will pay the pro rata share it will not cover the entire cost of 2 new stop lights, restriping...</p>



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	submittal of the PUD to determine additional transportation improvements needed in the area.	
10. Prohibit gated roadways	No gated roadways will be permitted within the PUD (Note: The parking areas within the project to be utilized by residents and office tenants may be gated.)	
11. Protect, enhance and preserve the areas that include structures or sites that are of architectural, historical, archaeological or cultural significance.	The project does not have any architectural, historical or archeological areas of significance	N/A
12. Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	The project is over 31 acres and exceeds the 10 acre requirement.	The project is over 10 acres if you amend the LDC to do this. The applicant was able to develop with the existing natural features and topographic constraints.
TIER ONE ADDITIONAL REQUIREMENTS FOR A MIXED USE DEVELOPMENT		
1. Comply with Chapter 25-2, Subchapter E (<i>Design Standards And Mixed Use</i>)	The PUD substantially complies with the Commercial Design Standards and intends to seek alternative equivalent compliance to obtain full compliance with respect to building placement along Mopac.	
2. Inside the Urban Roadway boundary depicted in Figure 2, Subchapter E, Chapter 25-2 (<i>Design Standards and Mixed Use</i>), comply with the	The project will construct sidewalks that are consistent with Core Transit Corridor sidewalk requirements for Executive Center Drive and Woodhollow Drive even though those roadways area not designated as Core Transit	



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sidewalk standards in Section 2.2.2, Subchapter E, Chapter 25-2 (<i>Core Transit Corridor Sidewalk and Building Placement</i>).	Corridors.	
3. Contain pedestrian oriented uses as defined in Section 25-2-691(C) (<i>Waterfront Overlay District Uses</i>) on the first floor of a multi-story commercial or mixed use bldg.	The PUD will provide a pedestrian oriented use on the first floor of all multistory commercial or mixed use buildings.	
Tier 2 REQUIREMENTS		
1. 1. Open Space – Provide open space at least 10% above the requirements of Section 2.3.1.A (<i>Minimum Requirements</i>). Alternatively, within the Urban Roadway boundary established in Figure 2 of Subchapter E of Chapter 25-2 (<i>Design Standards and Mixed Use</i>), provide for proportional enhancements to existing or planned trails, parks, or other recreational common open space in consultation with the Director of the Parks and Recreation Department. Note 1	The PUD will provide open space at a level at least 25% above the requirements of Section 2.3.1A.	
2. Environment:	The PUD will bring over 30 acres of currently untreated	WOULD REDEVELOPMENT OF THE TRACT REQUIRE



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<p>a. Does not request exceptions to or modifications of environmental regulations.</p> <p>b. Provides water quality controls superior to those otherwise required by code.</p> <p>c. Uses innovative water quality controls that treat at least 25% additional water quality volume and provide 20% greater pollutant removal, in addition to the minimum water quality volume required by code.</p> <p>d. Provide water quality treatment for currently untreated, undeveloped offsite areas with a drainage area of at least 25% of the subject tract.</p> <p>e. Reduces impervious cover or single-family density by 5% below the maximum otherwise allowed by code or include offsite measures that lower overall impervious cover within the same watershed by five percent below that</p>	<p>area into compliance with City code from a water quality treatment standpoint. Additionally, the project prohibits uses that may contribute air and water quality pollutants (e.g., Automotive Repair Services, Automotive Washing). Such uses are presently allowed on the site pursuant to existing zoning and other regulations.</p> <p>The PUD will restrict impervious cover by (a) a minimum of 15% below the maximum allowed by “GO” zoning regulations (90%) and (b) a minimum of ___% below the maximum allowed “LO-MU” zoning regulations.</p>	<p>COMPLIANCE W/ WATERSHED ORDINANCES? I THOUGHT YOU HAD TO BE 150’ away from a critical environmental feature....why is the map showing 100?</p> <p>DID THEY MEAN TO SAY GO not GR or 15% below the maximum allowed by GO (80%)</p> <p>GO has 60% building coverage vs 75% in GR GO has 80% impervious coverage vs 90% in GR</p>
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<p>allowed by code. f. Provide minimum 50-foot setback for unclassified waterways with a drainage area of five acres or greater. g. Provides at least a 50% increase in the minimum waterway and critical environmental feature setbacks required by code. h. Clusters impervious cover and distributed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected. i. Provides pervious paving for at least 50% or more of all paved Notes: 2, 7, 14 & 15</p>		
<p>3. Austin Green Builder Program –Provides a rating under the Austin Green Builder program of three stars or above. Note 4</p>	<p>The project will meet the Austin Green Builder program at a 3-star level.</p>	
<p>4. Art – Provides art approved by the Art In Public Places Program in open spaces, either by providing the art directly or by making a contribution to the City’s Art</p>	<p>The project will provide art approved by the Art In Public Places Program on-site.</p>	



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<p>In Public Places Program or a successor program. Note 17</p>		
<p>5. Great Streets – Complies with City’s Great Streets Program, or a successor program. Applicable only to commercial retail, or mixed-use development that is not subject to the requirements of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>)</p>	<p>Not applicable The PUD is subject to, and will comply with, the requirements in Chapter 25-2, Subchapter E (Design Standards and Mixed Use).</p>	
<p>6. Community Amenities – Provides community or public amenities, which may include space for community meetings, day care facilities, non-profit organizations, or other uses that fulfill an identified community need. Note 18</p>	<p>The project will provide community meeting space within the project that is available to community neighborhood groups and non-profit organization.</p>	<p>Northwest Hills has ample meeting space and larger meeting space than proposed. We have been allowed to use the 1st Presbyterian Church, Ascension Lutheran, the St Matthews Episcopal Church, Old Quarry Library, the Dell Jewish Community Center and Doss Elementary at no charge. Murchison Middle School has also provided space at a nominal cost. Very often we have been able to secure space at short notice.</p>
<p>7. Transportation – Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code. Notes 19 & 24.</p>	<p>The project will provide bicycle parking for retail patrons, as well as its residents, at above-code levels. The project will provide 40 public dedicated spaces for public use in charging electric vehicles within the project parking garages. A TIA will be provided with the formal PUD submittal and additional on and off site improvements will be identified at that time.</p>	<p>HOW MANY BIKE RACKS IS THIS? Only 10 of the charging stations will be 240 volt capacity so that a car can be charged in several hours. The other 30 are 120 volt capacity and will take 8 hours or longer to charge a car. There are no notes for dispersing the stations amongst buildings or tracts. Sidewalks already exist on Spicewood Springs Road, Hart Lane, Executive Center Drive</p>



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		<p>andWoodhollow. Bike Lanes exist on Hart and Spicewood Springs Road. However, the TIA is showing bike lanes will be removed from Hart Lane, the main travel corridor from the site to Doss, with buildout of the development The TIA did not include approved several rezonings that would have added to the background traffic on Spicewood and Far West. For example, VMU on Far West from Doss and Woodhollow and the Austin Board of Realtors. There is no schedule for actual development.</p>
<p>8. Building Design – Exceed the minimum points required by the Building Design Options of Section 3.3.2 of Chapter 25-2, Subchapter E (<i>Design Standards & MU</i>)Note 20</p>	<p>Subchapter E requires that all projects achieve at least one point from the table in section 3.3.2. The PUD will exceed the minimum points by achieving a minimum of 5 building design points.</p>	
<p>9. Parking Structure Frontage – In a commercial or mixed-use development, at least 75% of the building frontage of all parking structures is designed for pedestrian oriented uses as defined in Section 25-2-691 (C) (<i>Waterfront Overlay District Uses</i>) in ground floor spaces</p>	<p>Do not meet this standard. It is not feasible to have such a high percentage of pedestrian oriented uses on the ground floor of all parking garages, especially parking garages adjacent to Mopac.</p>	



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<p>10. Affordable Housing – Provides for affordable housing or participation in program to achieve affordable housing. Note 21</p>	<p>The residential portion of the PUD will participate in the affordable housing options pursuant to the PUD ordinance, calculated on the residential portion of the project only.</p>	<p>Northwest Hills was the first neighborhood association to agree to VMU zoning along Far West and the acreage rezoned is greater than what’s proposed for this tract. VMU included an affordable housing component.</p>
<p>11. Historic Preservation – Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.</p>	<p>Not applicable.</p>	
<p>12. Accessibility – Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements. Note 22</p>	<p>The project will provide 2.5% of the residential units within the project to be available for persons with disabilities. Note: This represents a 25% increase above code requirements.</p>	
<p>13. Local Small Business – Provides space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin Metropolitan statistical area. Note 23</p>	<p>The project will provide space at affordable rates to one or more independent retail or restaurant small businesses whose principal place of business is within the Austin metropolitan statistical area.</p>	