

Council Member Gallo Motion Sheet: Agenda Item No. 73

C814-2015-0074 – The Grove at Shoal Creek PUD

Council Meeting: September 22, 2016

Neighborhood	Neighborhood Request	Council Member Gallo Amendments
Bull Creek Road Coalition (BCRC)	Modify minimum setback to Bull Creek Road to 25 feet in Tract D and uses adjacent to Bull Creek Road in Tract D shall meet SF-3 development standards	<p>Amendment 1: Apply the following restrictions to any building on Tract D that is within 75 feet of Bull Creek Road:</p> <ul style="list-style-type: none"> a. Live-work uses are prohibited b. Minimum building setback from Bull Creek Road ROW shall be 25 feet. Porches and patios shall be permitted to encroach into the setback up to 6 feet. c. Maximum building height shall be 35 feet. d. All buildings facing Bull Creek Road shall have a maximum of two attached residential units. e. Minimum setback from Bull Creek Road ROW for a third story shall be 35 feet if the height of the building exceeds 30 feet. f. The minimum building setback from Bull Creek Road ROW shall be increased to 28 feet for a minimum of 50% of the total frontage. g. Garages are not permitted to face Bull Creek Road. h. A minimum of 50% of the units along Bull Creek Road shall have a porch that faces the Bull Creek Road ROW.
Oakmont Heights	<p>Apply to any building on Tract D that is within 75 feet of Bull Creek Road.</p> <ol style="list-style-type: none"> 1. Live-work uses are prohibited 2. Minimum building setback from Bull Creek Road ROW shall be 25 feet. Porches and patios shall be permitted to encroach into the setback up to 6 feet. 3. Maximum building height shall be 35 feet. 4. All buildings facing Bull Creek Road shall have a maximum of two attached residential units. 5. Minimum setback from Bull Creek Road ROW for a third story shall be 35 feet if the height of the building exceeds 30 feet. 6. The minimum building setback from Bull Creek Road ROW shall be increased to 28 feet for a minimum of 50% of the total frontage. 7. Garages are not permitted to face Bull Creek Road. 8. A minimum of 50% of the units along Bull Creek Road shall have a porch that faces the Bull Creek Road ROW. 	

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Bull Creek Road Coalition (BCRC)	Require City-approved noise mitigation plan for temporary (construction) and permanent activates on-site	<u>Amendment 2:</u> During construction require property owner to locate construction staging areas for site development 250 feet from the property line or a suitable distance from neighborhoods as determined by City Staff.
Ridgelea NA	Implement a Noise Mitigation Plan to minimize impact to surrounding neighbors during and after construction. The plan should address known high noise generators such as construction staging areas, construction and long-term loading/delivery areas. There should also be reasonable limits on days/hours for outdoor amplified music.	<u>Amendment 3:</u> For this property, increase restrictions in City Code Sections 9-2-3(A)(2) and 9-2-4 of the Code as follows: a. A person may not make noise or play a musical instrument audible at the property line between 9:00 p.m. and 7:00 a.m. (<i>Current City Code 10:30pm-7am</i>) b. A person may not operate sound equipment at a business that produces sound in excess of 80 decibels between 10:00 a.m. and 2:00 a.m., as measured at the property line of the business; (<i>Current City Code: 85 decibels</i>)
Oakmont Heights	Oakmont Heights has requested ARG to agree not to have amplified sound at any of the commercial/retail establishments after 9pm (just like Central Market on North Lamar). The Oakmont Heights neighborhood is concerned that if it is ultimately based on a decibel allowance at a certain location, that it may not really resolve the issue.	
45th Street Residents	Include noise control plan in the PUD ordinance restricts hours of amplified noise from businesses and Signature Park events similar to the informal agreement between Rosedale and Central Market. Do not allow the developer to retain management over the Signature Park, which would allow ARG or future owners to profit from renting out the City's park for private events (parties, concerts, movies). During construction, the noise plan should include provisions regarding staging areas, equipment/generator locations, and timing of major work. (BCRC proposed amendment #6)	
Bull Creek Road Coalition (BCRC)	Modify maximum retail entitlements to 100,000 square feet and maximum size of 30,000 square feet for any single tenant	<u>Amendment 4:</u> Reduce the current maximum size of 47,500 square feet for any single tenant of retail space to a maximum size of 37,500 square feet.
Ridgelea NA	Limit any single retail/restaurant/commercial tenant to a maximum of 30,000 sf and focus commercial spaces on local serving scale businesses that do not generate significant amounts of non-local traffic.	
Oakmont Heights	Generally reduced scale of the development (e.g., reductions to retail and especially commercial)	

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Bull Creek Road Coalition (BCRC)	Require 20 feet wide drainage easement full length of Tract E adjacent to Idlewild properties and maintenance to effective berm/swale within drainage easement	<p><u>Amendment 5:</u> The property owner is required to have a storm sewer system and street system designed to capture and convey the 100 year storm event.</p> <p><u>Amendment 6:</u> For the portion of the property adjacent to the properties along Idlewild Road add the following requirements:</p> <ul style="list-style-type: none"> a. The 35 feet no-build setback line, parallel to Idlewild Road, is required to be a high point establishing that all property west of the 35 feet no-build line will drain into the property's internal storm sewer system and away from properties along Idlewild Road. b. The area east of the 35 feet no-build setback line is prohibited to have any development other than landscaping and recreational improvements ordinarily found in a backyard (such as playscapes, pools, decks, gardens, fences etc.) and runoff in this eastern area may not exceed the current undeveloped runoff amount. c. Water runoff from the roofs of buildings is required to be captured and drained into the property's internal storm sewer and street systems. d. The property owner is required to install and maintain a French drain system within 10 feet west of the property line, parallel to Idlewild Road, to reduce groundwater and tie the French drain to connect directly into the pond discharge pipe. The French drain system will be maintained by the applicant or future Grove property associations. e. All of the above will be included in the PUD Ordinance, so that it can be enforced by the City.
Ridgelea NA	Install and maintain an effective drainage berm(s) and swale(s) in the no build zone behind Idlewild to prevent flooding and drainage problems in the neighborhood.	
Ridgelea NA	Complete the planned upgrades to Bull Creek & 45th intersection by Jan. 2019 instead of the proposed 2024 date.	<p><u>Amendment 7:</u> Prior to the permitting of any portions of the development that exceed the Phase 1 trip limit of 2,000 daily vehicle trips the property owner is required to complete the intersection improvements for the Bull Creek and 45th Street intersection.</p> <p><u>Amendment 8:</u> The property owner is required to start the construction of the planned improvements for the Bull Creek and 45th intersection no later than six months after the City of Austin has approved the final plans for the intersection.</p>

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Bull Creek Road Coalition (BCRC)	Fund and implement transportation demand management program requirement to target 15% reduction in vehicle trips and encourage transit/multi-modal trips	<p><u>Amendment 9:</u> Property owner is required to develop and implement a Transportation Demand Management (TDM) Plan to reduce trips to the site. The TDM Plan should:</p> <ul style="list-style-type: none"> a. Include flexible results based funding and specific trip reduction targets. b. Include targets aimed at reducing the TIA trip generation figures by at least 20%. c. Require property owner to implement a monitoring and reporting plan to assess the effectiveness of the TDM Plan to address any deficiencies identified through the reporting and monitoring process. d. Be reviewed and recommended by Austin Transportation Department.
Ridgelea NA	Require a comprehensive and permanent Transportation Demand Management (TDM) program that encourages residents and visitors to reduce vehicular trips.	
45th Street Residents	Reduce the overall allowed trips through reduced commercial entitlements in addition to a Transportation Demand Management Program. (BCRC proposed amendments #1,2,3,5,7,8,&9)	
Bull Creek Road Coalition (BCRC)	Increase required credited parkland acres to 16.88 which includes locating 2 acre flex space and 4 additional acres	<p><u>Amendment 10:</u> The property owner is subject to all regulations and requirements detailed in the revised Parks Plan Exhibit dated September 21, 2016 which requires, among other things, the following:</p>
Ridgelea NA	Increase usable public space at the development by adding a community pool to increase community benefits and reduce vehicle trips by providing full range of park amenities within walking and biking distance.	<ul style="list-style-type: none"> a. a minimum of 14.13 credited parkland acres (increased by 1.25 acres from 12.88 to 14.13 acres); b. the Signature Park will be a minimum of 16.25 acres in size (including 5.75 acres of floodplain, CEF, etc.); c. a minimum of 705 square feet of street frontage for the Signature Park; d. Construct a trail connection between the Signature Park and the existing greenbelt along Jefferson Street as part of the Shoal Creek Trail; e. The Pocket Park shall be designed to have an open character from the street frontage and should avoid landscape or other obstructions that block the public views into the park where it abuts the street; f. Investment of \$750 per residential unit in park development;
Oakmont Heights	Generally reduced scale of the development (e.g., reductions to retail and especially commercial) and increased parkland. It is particularly important to the Oakmont Heights neighborhood to put a larger amount of parkland on Bull Creek south of 42nd Street in the small pocket park. In addition, some of the Oakmont residents feel the pocket park is going to be completely "captured" by either condos, apartments, or the congregate care facility rather than feel welcoming to the public.	
45th Street Residents	Add approximately 4 acres of parkland to the Signature Park and Neighborhood Park to accommodate non-commercialized recreation space desired by neighbors. (BCRC proposed amendment #12)	

Additional Neighborhood Request to be Addressed through Future Council Resolution		
Neighborhood	Neighborhood Request	Council Member Gallo Proposal
Bull Creek Road Coalition (BCRC)	Dedicate \$3 million to off-site traffic mitigation and multi-modal improvements, funded by mix of applicant contribution and tax increment financing	(1) Creation of a Local Traffic Mitigation Fund using a portion of the incremental tax generated from the development's property taxes. The Fund will be used in the surrounding neighborhoods to pay for both immediate and long term improvements including multi-modal solutions and traffic mitigation and calming solutions. In creating this fund, 100% of the total City property taxes generated by The Grove project should be allocated to the Local Traffic Mitigation Fund until \$6 million is payed into the Fund and then continue forward at 50% allocation until 2037. The Fund would be spent on improvements which would be prioritized jointly by the neighborhoods and the City of Austin Transportation and Public Works Departments. (CM Gallo working on separate Resolution to create)
Ridgelea NA	Implement traffic Mitigation/Calming for Bull Creek Road, Oakmont, Allandale and Ridgelea to slow traffic and improve safety.	
Oakmont Heights	Oakmont Heights has asked for ARG to set aside funds for traffic calming measures to both prevent and slow cut-through traffic in the Oakmont neighborhood.	
Oakmont Heights	Concerns about traffic increases at 45th and Bull Creek, all along Jackson, along Bull Creek as it borders the Oakmont Heights neighborhood, and at Jackson and 35th.	(2) Require applicant to provide an additional \$100,000 to the neighborhoods (in addition to the \$100,000 already committed through discussions with Friends of the Grove) as "seed money" that can be added to the Local Traffic Mitigation Fund or the City NPP matching funds for additional transportation improvements.