

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C814-2015-0074 – The Grove at Shoal Creek Planned Unit Development

**E.V. COMMISSION DATE:** June 1, 2016

**ADDRESS:** 4205 Bull Creek Road

**DISTRICT AREA:** 10

**OWNER:** ARG Bull Creek, Ltd. (Garrett Martin)

**AGENT:** Thrower Design (A. Ron Thrower)

**ZONING FROM:** Unzoned (UNZ)     **TO:** PUD     **AREA:** 75.74 acres

### **SUMMARY STAFF RECOMMENDATION:**

The staff recommendation is to approve The Grove at Shoal Creek Planned Unit Development (PUD) subject to the following conditions:

1. The Planning and Zoning staff recommends PUD zoning as requested subject that the following additional conditions be incorporated in the proposed Land Use Plan (Exhibit C):
  - a) The total square footage of all development within the PUD shall not exceed 2.4 million square feet.
  - b) The total square footage of all office development within the PUD shall not exceed 210,000 square feet.
  - c) The total square footage of all retail/commercial development shall not exceed 150,000 square feet.
  - d) The total number of congregate care beds shall not exceed 300.
  - e) At least 30,000 square feet of retail development shall be required once 700 units of residential development are constructed before any additional residential development can occur on the property.
  - f) At least 35% of the total required affordable rental units shall be provided once 325 multifamily residential units are constructed before any additional multifamily residential units may be constructed. At least 35% of the total required affordable for-sale residential units shall be provided once 100 condominium residential units are constructed in a "podium style" condominium residential building before any additional condominium residential units may be constructed.
  - g) 130,000 square feet of development may be used for Tier 2 affordable housing that is separate from and does not count against the overall development cap of 2.4 million square feet.
  - h) The staff recommends a baseline of 1.892 million square feet.
2. The conditions of the PUD shall be established in the proposed Land Use Plan (Exhibit C), that includes a breakdown of: a) tract layout and size/acreages, b) permitted land use tables, c) site development regulations table, d) additional setbacks on specific tracts, e) approximate driveway and trail locations, , f) notes on limitations of uses, conditions on site development regulations, definitions, provision for public art installation, conditions for a proposed pedestrian and bicycle bridge, and benefits to encourage alternative transportation options.

3. The PUD shall be subject to the conditions regarding the riparian grow zone, CEF buffer area, wet pond surface area, detention infiltration feature, wetland fringe and upland infiltration feature as agreed to on the Environmental Resource Exhibit (Exhibit F). The proposed PUD shall comply with the Environmental staff recommendations that include:
  - a. The PUD will provide at least 18.12 acres of open space.
  - b. The PUD will exceed minimum Code requirements for landscaping through The Grove at Shoal Creek Design Guidelines by requiring a minimum of three-inch caliper street trees on all internal roadways, requiring street trees along Bull Creek and requiring that a minimum of 95% of all non-turf plan materials be from or consistent with the City's Grow Green Guide.
  - c. Provide that a minimum of ten acres of impervious cover on the site will drain to and be substantially treated by green water quality controls that infiltrate or reuse water, such as rain gardens and rainwater harvesting.
  - d. Use of a wet pond and/or green water quality controls for a minimum of 50% of the required water quality volume on-site.
  - e. Preserve a minimum of 75% of all protected size native caliper inches and prepare a tree care plan for all preserved heritage and protected trees on site.
  - f. Provide additional protections for the grove of trees surrounding the proposed wet pond.
  - g. Cluster development/impervious cover along Bull Creek Road and in the interior of the property away from Shoal Creek and the larger oak groves on the property to avoid environmentally sensitive areas.
  - h. Direct storm water runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.
  - i. Provide on-site detention for the 9.39 acres of existing impervious cover on site that is not currently detained.
  - j. The City of Austin Watershed Protection Department will choose the most effective flood mitigation option for the site at the time of subdivision or site plan review.
  - k. Provide educational signage at the wetland Critical Environmental Feature.
  - l. Implement an Integrated Pest Management Plan for the whole property.
4. The development of the PUD shall comply with the conditions stipulated in the Parks Plan Exhibit (Exhibit G). The applicant shall provide for parkland for park and recreational purposes under the terms of The Grove at Shoal Creek Parks Plan and Parkland Improvement Agreement as attached exhibits to the PUD ordinance.
5. The development of the PUD site will be subject to the attached TIA memorandum from the Development Review Development (DRD) Department and Austin Transportation Department (ATD) dated March 25, 2016 – Exhibit M. The TIA memo limits the site development to uses and intensities that will not exceed or vary from the projected traffic conditions assumed in the final TIA [R-K Traffic Engineering, LLC – February 2, 2016]. The proposed conceptual right-of-way layout, major vehicle circulation and pedestrian and bicycle connections are shown on the Roadway Framework Plan (Exhibit H).
6. Development within the PUD shall comply with the Tree Survey & Disposition Plan (Exhibit J). A representation of the applicant's proposal for tree mitigation on the site is shown on Tree Mitigation Example conceptual plan and table (Exhibit L).

7. The PUD zoning will be subject to draft language agreed upon with the Neighborhood Housing and Community Development Department (NHCD) concerning compliance with the affordable housing on the property. The project has been certified under SMART Housing and the PUD language will require 5% of permanent ownership units and 10% of the rental for 40 years. They will receive a 100% fee waiver. Ten percent of the total number of multifamily rental housing units located within the Grove at Bull Creek PUD will be set aside for occupancy by households with incomes at 60 percent of or below the median family income. At least 5 percent of the total number of units sold as owner-occupied residential housing units located within the Grove at Bull Creek 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. NHCD and the developer have signed off on the attached language stated in the, The Grove at Bull Creek PUD Affordable Housing Program – Exhibit N.

**ENVIRONMENTAL COMMISSION MOTION:**

November 4, 2015: Motion to postpone the case to December 16, 2015, with a briefing on the status of the review to be presented at the November 18, 2015 meeting (8-1, H. Smith-abstain); M. Perales-1<sup>st</sup>, M. Neely-2<sup>nd</sup>.

December 16, 2015: Refer case to Development Committee when the staff review and recommendation is complete.

May 18, 2016: Refer case to Development Committee when the staff review and recommendation is complete.

June 1, 2016:

**PARKS AND RECREATION BOARD:**

May 24, 2016: Voted to affirm staff's findings that The Grove at Shoal Creek PUD application as submitted on March 28, 2016 is not superior in relation to parks/adequate public facilities (Vote: 6-1-1).

**ZONING AND PLATTING COMMISSION MOTION:**

December 1, 2015: Postponed indefinitely at the staff's request by consent (10-0); B. Evans-1<sup>st</sup>, S. Harris-2<sup>nd</sup>.

May 17, 2016: Postponed indefinitely at the staff's request by consent (7-3, A. Aguirre-absent, B. Evans, S. Lavani, S. Harris-No); G. Rojas-1<sup>st</sup>, J. Kiolbassa-2<sup>nd</sup>.

June 7, 2016: