

December 3, 2020

Jerry Rusthoven, Assistant Director (Acting Lead)
Planning and Zoning Department
City of Austin
505 Barton Springs Road, 5th floor
Austin, TX 78704



Re: Development Assessment Application for Brodie Oaks Redevelopment

A Development Assessment Application for a Planned Unit Development that will govern the redevelopment of a 37.6 acre site from a suburban shopping center and surface parking lots to a compact, vibrant, transit-oriented, and mixed-use center that includes 13.6 acres of new publicly accessible open space with views of the downtown skyline and Hill Country forming a new gateway to the Barton Creek Greenbelt.

Dear Mr. Rusthoven

As the authorized agent of the owner of the Brodie Oaks Shopping Center, Lionheart Places is respectfully providing this Development Assessment application as a preliminary step in the process to rezone the property from General Commercial Services (CS), General Commercial Services – Liquor Sales (CS-1), and Community Commercial (GR) to the Planned Unit Development (PUD) zoning with a base zoning of CS. The purpose of this zoning request is to transform the existing Brodie Oaks shopping center into a vibrant, mixed-use destination for South Austin. Located at the northeast intersection of S. Lamar Boulevard and Loop 360, this 37.6-acre site is adjacent to CapMetro’s Metro Rapid Route 803, along the South Lamar Imagine Austin Corridor, within the South Lamar Neighborhood Planning Area (a suspended neighborhood plan), and within an Activity Center for Redevelopment in Sensitive Environmental Areas on Imagine Austin’s Growth Concept Map.

The site is part of an original 128-acre development that contributed to setting a standard for development in environmentally sensitive areas for its time in 1981 including the dedication of 84.3-acres of the Barton Creek Greenbelt, and clustering of impervious cover on the remaining acreage. This legacy makes the Brodie Oaks Redevelopment well suited for realizing the Imagine Austin vision for an Activity Center for Redevelopment in Sensitive Environmental Areas.

The owner wants to achieve the vision of the Imagine Austin Comprehensive Plan, Strategic Housing Blueprint, Watershed Protection Master Plan, Austin Strategic Mobility Plan, Austin Community Climate Plan, and the Austin Strategic Direction 2023 Plan through the following set of project goals:

- **Ecology – Meet the highest environmental standards.**
The Brodie Oaks Redevelopment will reduce total impervious cover from approximately 84 percent to a maximum impervious cover of 54 percent, a 36 percent reduction, and fully comply

with the Save Our Springs (SOS) Ordinance standards for nondegradation of water quality. The project will restore and reserve 13.7-acres of the site that is currently developed as surface parking lots and single-story retail and office buildings as private park and open space. The Brodie Oaks PUD is proposing to preserve all heritage trees in place or transplant on-site and develop interpretive materials about the Edwards Aquifer and Barton Creek Greenbelt. These efforts will reduce heat island effect and provide a more biophilic landscape which will help foster pedestrian transportation. Finally, the focus on multi-modal travel will reduce emissions and reliance on fossil fuels.

- **Vitality – Create a transit-oriented, walkable, mixed-use activity center.**

The project will reserve prominent areas with views of Downtown and the Hill Country as publicly accessible open space. The project is planning for approximately 1,564 residential units, 1,150,678 square feet of office, 448 hotel rooms, 110 thousand square feet of retail, and 30,000 square feet of restaurant uses located along private streets with public access easements including an Internal Circulator Route meeting Great Streets standards with activated ground floor uses. The current plat contains a scrivener's error restricting residential uses on a portion of the site. A plat amendment to address this error will be submitted concurrently with the PUD application. A central green will be developed and programmed for events and entertainment acting as the central core of food and beverage options.

- **Connectivity – Connect the site to its surroundings.**

The Brodie Oaks Redevelopment will support ridership on Capital Metro's existing high capacity transit route (MetroRapid Route 803) on S. Lamar Boulevard with the development of a high-density, mixed-use project. Shared parking and travel demand management strategies will reduce reliance on single-occupancy vehicles. The project will also provide a network of up to 4,700 feet of active trails, 10,000 feet of sidewalk, and a publicly accessible trailhead into the Barton Creek Greenbelt. The project will work with the City of Austin, Texas Department of Transportation, Capital Metro and the Central Texas Regional Mobility Authority on improving access external to the site through a Traffic Impact Analysis process.

- **Character – Express the South Austin character.**

The Brodie Oaks Redevelopment will be a destination landmark for South Austin and reflect the unique character of South Austin through its creative design and the incorporation of public art and performance venues. Biophilic design, energy and water conservation and the use of regional architectural styles and materials will all help contribute to the South Austin character.

- **Performance – Position the project for the future.**

The restoration of over 25 percent of the site to open space adjacent to the Barton Creek Greenbelt is made possible through heights of up to 275' along the Loop 360 and S. Lamar Boulevard frontage. Affordable housing set asides equal to 10 percent of the bonus height will be included and dispersed throughout the site. The project is meeting the Imagine Austin vision of an Activity Center for Redevelopment in Sensitive Environmental Areas. Finally, repositioning the retail environment from single-use, auto-oriented to mixed-use and walkable will align the physical environment with the social and environmental trends.

The proposed Development Assessment demonstrates that the Brodie Oaks Redevelopment meets all Tier I requirements and achieves numerous Tier II requirements, thus resulting in a superior development that could not be achieved through conventional zoning.

Please let us know if your team requires additional information or has any questions. We are grateful for the opportunity to continue our collaboration with the City and stakeholders.

Respectfully,



Rebecca Leonard, FAICP, PLA, LEED-AP, CNU-A
Founder and CEO
Rebecca@lionheartplaces.com

Attachments included:

Development Assessment Application

Superiority Table

Code Modifications Table

Exhibit A: *(Placeholder for City Location Map)*

Exhibit B: Brodie Oaks Redevelopment Context Map

Exhibit C: Brodie Oaks Redevelopment Land Use Plan

Exhibit D: Brodie Oaks Redevelopment Parks and Open Space

Exhibit E: Brodie Oaks Redevelopment Street Cross Sections

Exhibit F: Brodie Oaks Redevelopment Water Quality and Drainage

Exhibit G: Brodie Oaks Redevelopment Grading Plan

Exhibit H: Brodie Oaks Redevelopment Phasing Plan

Tax Plat Map

Restrictive Covenants

Environmental Resources Inventory

CC:

Project and Ownership Team

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Reviewing Agencies

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Capital Metropolitan Transportation Authority, Lawrence.Deeter@capmetro.org;
Mark.Herrera@capmetro.org

Surrounding Environmental and Neighborhood Organizations

Save Our Springs Alliance: notices@sosalliance.org

[Save Barton Creek Association: SBCA@savebartoncreek.org](mailto:SBCA@savebartoncreek.org)

Barton Hills-Horseshoe Bend (Barton Hills Neighborhood Association): president@bartonhills.org

Barton View Neighborhood Association: info@bartonview.net

Westgate Neighborhood Plan Contact Team: WestgateNPCT@gmail.com

Western Trails Neighborhood Association: wtnaboard@gmail.com

Zilker Neighborhood Association: zna@zilkerneighborhood.org

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
2.3 TIER 1 REQUIREMENTS		
General	2.3.1.A: (MEET) Meet the objectives of the City Code.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will meet the objectives of the City Code.
	2.3.1.B: (MEET) Provide for development standards that achieve equal or greater consistency with the goals in Section 1.1 (<i>General Intent</i>) than development under the regulations in the Land Development Code. Section 1.1 says, “This division provides the procedures and minimum requirements for a planned unit development (PUD) zoning district to implement the goals of preserving the natural environment, encouraging high quality development and innovative design, and ensuring adequate public facilities and services. The Council intends PUD district zoning to produce development that achieves these goals to a greater degree than and that is therefore superior to development under conventional zoning and subdivision regulations.”	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will provide for the preservation and enhancement of the natural environment within and immediately adjacent to the subject property, along the Barton Creek Greenbelt. Including the reclamation of approximately 9.4 acres of the subject property adjacent to the greenbelt. The Brodie Oaks Redevelopment is a high-quality, mixed-use development promoting innovative design in keeping with the South Austin character. The plan will offer a live, work and play environment and will undoubtedly become a beloved South Austin gathering place. The Brodie Oaks Redevelopment will provide a dense mixed-use development transforming approximately 21-acres of surface parking lots and drive aisles and approximately 8-acres of single use office and retail buildings to a vibrant neighborhood and destination for South Austin. The Brodie Oaks Redevelopment will reduce greenhouse gases by providing a true transit-oriented development taking advantage of Capital Metro’s adjacent bus stop for the MetroRapid route number 803. The project will construct a new transit stop that meets or exceeds Capital Metro’s requirements and integrate the stop into the development by providing comfortable waiting areas, easy access for bicycles and pedestrians, and urban amenities. The density and height proposed for the Brodie Oaks Redevelopment enable the project to meet the vision established in Imagine Austin of an “Activity Center for Redevelopment in Sensitive Environmental Areas” including state-of-the-art development practices to improve stormwater retention and water quality flowing into the Edwards Aquifer Recharge Zone and Barton Creek Zone. The Brodie Oaks Redevelopment will provide an environmentally superior project that complies with the Save Our Springs (SOS) Ordinance for water quality.

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
Open Space	<p>2.3.1.C: (MEET)</p> <p>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.</p>	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will include a variety of parks and open spaces that will expand and enhance the connection to and experience of the Barton Creek Greenbelt for both greenbelt visitors and visitors to the Brodie Oaks Redevelopment. The Brodie Oaks Redevelopment will create great public spaces by establishing publicly accessible and well-planned trailheads accessing the Barton Creek Greenbelt and the greater Violet Crown Trail System. Open Spaces and parks within the Brodie Oaks Redevelopment will include spaces with civic/cultural, neighborhood, nature/play, and active recreation and equal to 13.7-acres or 36 percent of the 37.6-acre subject property. The subject property is part of the original Barton Creek Plaza development which dedicated approximately 84.3-acres of parkland in 1981 to the City of Austin contributing an important piece of the Barton Creek Greenbelt. After including the additional 8.4 acres of credited Private Parkland from the current Brodie Oaks Redevelopment, the total parkland contribution is 92.7 acres, which is 55% of the total original 167-acre site.
Green Building Program	<p>2.3.1.D: (MEET)</p> <p>Comply with the City's Planned Unit Development Green Building Program.</p>	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will comply with the City's Planned Unit Development Green Building Program and will meet or exceed the 2-Star Requirement. Besides green stormwater treatments required by the SOS Ordinance and described elsewhere, the Brodie Oaks Redevelopment will consider district heating, water conservation and reuse strategies, and on-site energy production as strategies to enhance the sustainability of the district.

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
Neighborhood Plans and Historic Compatibility	<p>2.3.1.E: (MEET)</p> <p>Be consistent with applicable neighborhood plans, neighborhood conservation combining district regulations, historic area, and landmark regulations, and compatible with adjacent property and land uses.</p>	<ul style="list-style-type: none"> • There are no applicable neighborhood plans, neighborhood conservation combining district regulations, historic areas, or landmark regulations for the property. The site is within the S. Lamar Boulevard Combined Neighborhood Planning Area (Barton Hills) which does not have a City Council approved neighborhood plan. • The Brodie Oaks Redevelopment has placed compatible land uses adjacent to the adjoining Barton Creek Greenbelt and the multifamily residence moderate to high density (MF4) tract. • The Brodie Oaks Redevelopment will include a 75' – 550' park and open space buffer running along the entire length of the greenbelt property line. Refer to <i>Exhibit D: Brodie Oaks redevelopment Parks and Open Space Plan</i> • The Hill Country Roadway Ordinance is not applicable to the Brodie Oaks Redevelopment due to the urban nature of the existing development and entire intersection of S. Lamar Boulevard and Loop 360. Applying the Hill Country Roadway overlay to any portion of this site would be inconsistent with the Imagine Austin Center for Redevelopment in an Environmentally Sensitive Area and the South Lamar Corridor Plans.

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
Water Quality/Environmental	<p>2.3.1.F: (MEET) Provide for environmental preservation and protection relating to air quality, water quality, trees, buffer zones and greenbelt areas, critical environmental features, soils, waterways, topography, and the natural/traditional character of the land.</p>	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will remove existing buildings, surface parking areas and other impervious improvements that currently cover approximately 84 percent of the site and restore those portions of the site adjacent to the greenbelt back to natural grade. Density will be clustered along S. Lamar Boulevard and Loop 360. The overall site impervious cover will be reduced to a maximum 54 percent impervious - a 36% reduction from current conditions. Removing this level of pervious cover is achievable due to the increased height and density in the remaining portions of the site where this can better serve the goals of establishing a vibrant, attractive, pedestrian environment; expanding open space and creating great public spaces, enhancing connections to and along the Barton Creek Greenbelt and acting as an example for implementing the vision of "Activity Center for Redevelopment in Sensitive Environmental Areas" as described in Imagine Austin Comprehensive Plan. The Brodie Oaks Redevelopment will capture all run-off prior to leaving the site into appropriately sized retention water quality ponds and then irrigating this water on-site and within the adjacent parkland thus meeting the SOS Ordinance water quality requirements. Refer to <i>Exhibit F: Brodie Oaks Redevelopment Water Quality and Drainage Plan</i>
Public Facilities	<p>2.3.1.G: (MEET) Provide for public facilities and services that are adequate to support the proposed development including school, fire protection, emergency service, and police facilities.</p>	<ul style="list-style-type: none"> As an infill project, the improvements in the Brodie Oaks Redevelopment will provide increased tax revenue to the City on an ongoing basis without adding any new land into its service area, helping fund public services in this area and across the City. The Brodie Oaks Redevelopment proposes to include the following public facilities: <ul style="list-style-type: none"> 13.7 acres of publicly accessible open space; A variety of new private streets with public access easements and trails achieving connectivity for all modes of transportation and including a lively, attractive pedestrian and bicycle environment; expanding and connecting open spaces to and along the Barton Creek Greenbelt; Implementation of a new activity center and community destination in South Austin with active and passive recreation opportunities; Enhanced location and connections to transit along S. Lamar Boulevard including an enhanced bus stop, shady, wide sidewalks from the bus stop to the core of the development, transit supportive densities and mixed-use development.

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
Grow Green Landscaping	2.3.1.H: (MEET) Exceed the minimum landscaping requirements of the City Code.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will exceed the landscaping requirements. First, we will restore the native woodland prairie to portions of the site. In addition, we will provide a double allee of street trees on the north side of the main Internal Circulator Route which will be dedicated as a public easement.
Connectivity	2.3.1.I: (MEET) 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.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will deliver an attractive, walkable, and sustainable development pattern around the existing high-capacity MetroRapid Route 803 transit stop that maximizes Capital Metro's system ridership and offers Austin residents ample vibrant housing choices and convenient access to jobs, services and diverse amenities. Capital Metro's TOD Priority Tool identifies the Brodie Oaks Station as an opportunity for redevelopment as a Transit Oriented Development and identified several missing elements that the Brodie Oaks Redevelopment will be able to provide including: <ul style="list-style-type: none"> Compact, mixed-use development; Public realm improvements, including shade, street furniture, pedestrian-scale lighting; Pedestrian and bicycle connections and enhanced crossings; Sidewalk improvements; and Wayfinding.
Gated Roadways	2.3.1.J: (MEET) Prohibit gated roadways.	<ul style="list-style-type: none"> Brodie Oaks Redevelopment will prohibit gated roadways.
Architectural, historical, cultural, and archeological areas	2.3.1.K: (MEET) Protect, enhance, and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance.	<ul style="list-style-type: none"> There are no identified historic structures or landmarks on this site. The Brodie Oaks Redevelopment includes the incorporation of a new dedicated trailhead and trails to enhance the use of the Barton Creek Greenbelt, which is of cultural significance. The construction of a formal and highly accessible trailhead may reduce the pressure on other informal access points in neighborhoods and under MoPac (Loop 1) so that they may be redesigned to mitigate for environmental impacts.
PUD size and uniqueness	2.3.1.L: (MEET) Include at least 10 acres of land, unless the property is characterized by special circumstances, including unique topographic constraints.	<ul style="list-style-type: none"> At 37.6 acres, the Brodie Oaks Redevelopment exceeds the 10-acre minimum.

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ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
2.3.2 ADDITIONAL REQUIREMENTS	2.3.2.A: (MEET) Comply with Chapter 25-2, Subchapter E (Design Standards and Mixed Use).	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will comply with Subchapter E (Design Standards and Mixed Use) as amended in the Code Modifications".
	2.3.2.B: (Meet) Inside the urban roadway boundary depicted in Figure 2, Subchapter E of Chapter 25-2 (Design Standards and Mixed Use), follow the sidewalk standards in Section 2.2.2., Subchapter E, Chapter 25-2 (Core Transit Corridors: Sidewalks and Building Placement); and	<ul style="list-style-type: none"> Sidewalks, pedestrian clear zones, planting areas and supplemental zones will meet or exceed requirements associated with Core Transit Corridors and Internal Circulation Routes. In addition, street sections have been enhanced to meet the goals of the project as a vibrant and connected mixed use center. A public access easement will be provided for all private streets within the site. Refer to <i>Exhibit E: Brodie Oaks Redevelopment Street Cross Sections</i>.
	2.3.2.C: (Meet) Contain pedestrian-oriented uses as defined in Section 25-2-691(C) (Waterfront Overlay District Uses) on the first floor of a multi-story commercial or mixed-use building.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will comply with pedestrian-oriented uses on the first floor of a multi-story commercial or mixed-use building.
2.4 TIER 2 REQUIREMENTS		
Open Space	Provides open space at least 10 percent 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.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will include publicly accessible open space of 13.7-acres which is equivalent to approximately 57 percent of the developed area. See <i>Exhibit D: Brodie Oaks Redevelopment Parks and Open Space Plan</i> In addition to exceeding the required amount of open space by approximately 8.9-acres the project is proposing extensive improvements within the open space including an intentional trailhead, 4,700 LF of active trails, a central green and gathering space, a potential interpretive center, and extensive landscaping. The project is committing to maintain all private parkland in perpetuity.
Environment / Drainage	Complies with current City of Austin Code instead of asserting entitlement to follow older code provisions by application of law or agreement.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will provide drainage facilities that meet current code requirements as of 2020.

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
	Provides water quality controls superior to those otherwise required by code.	<ul style="list-style-type: none"> The Barton Creek Zone Redevelopment Exception allows sedimentation / filtration as the sole source of water quality if the impervious cover exceeds 40 percent impervious cover. However the Brodie Oaks Redevelopment is meeting the SOS Ordinance for the entire development with a maximum impervious cover of 54 percent. The maximum impervious cover permitted under the Barton Creek Zone Redevelopment Exception is limited to the existing site impervious cover (84 percent), however the Brodie Oaks Redevelopment is proposing to reduce impervious cover to a maximum of only 54 percent on-site, a roughly 36 percent reduction in impervious cover.
Environment / Drainage	Uses green water quality controls as described in the Environmental Criteria Manual to treat at least 50 percent of the water quality volume required by code.	<ul style="list-style-type: none"> Water quality controls will be used to treat 100 percent of the water quality volume in accordance with the SOS Ordinance. Key stormwater controls may include, retention/ re-irrigation, pervious pavement or pavers, rainwater harvesting, rain gardens, and flow-through planters.
	Provides water quality treatment for currently untreated, developed off-site areas of at least 10 acres in size.	<ul style="list-style-type: none"> There are no off-site areas draining to the site.
	Reduces impervious cover by five percent below the maximum otherwise allowed by code or includes off-site measures that lower overall impervious cover within the same watershed by five percent below that allowed by code.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will reduce existing impervious cover on the site from approximately 84 percent to less than or equal to 54 percent. This equates to a roughly 36 percent reduction in impervious cover.
	Provides minimum 50-foot setback for at least 50 percent of all unclassified waterways with a drainage area of 32 acres.	<ul style="list-style-type: none"> There are no waterways on the site.
	Provides volumetric flood detention as described in the Drainage Criteria Manual.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment is proposing to participate in the City's Regional Stormwater Management Program (RSMP). As such, on site detention ponds will not be required.
Environment / Drainage	Provides drainage upgrades to off-site drainage infrastructure that does not meet current criteria in the Drainage or Environmental Criteria Manuals, such as storm drains and culverts that provide a public benefit.	<ul style="list-style-type: none"> No upgrades are required. In addition, stormwater flow is significantly reduced due to the decrease in impervious cover.
Environment / Drainage	Proposes no modifications to the existing 100-year floodplain.	<ul style="list-style-type: none"> There are no floodplains on the site.
Environment / Drainage	Uses natural channel design techniques as described in the Drainage Criteria Manual.	<ul style="list-style-type: none"> Not Applicable

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
	Restores riparian vegetation in existing, degraded Critical Water Quality Zone areas.	<ul style="list-style-type: none"> There are no Critical Water Quality Zones on the site.
	Removes existing impervious cover from the Critical Water Quality Zone.	<ul style="list-style-type: none"> There are no Critical Water Quality Zones on the site.
Environment / Drainage	Preserves all heritage trees; preserves 75 percent of the caliper inches associated with native protected size trees; and preserves 75 percent of all the native caliper inches.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment pays particularly close attention to the existing trees found on site and dramatically enhances their current root constrained conditions. By removing approximately 30 percent of the impervious cover on site, the existing trees will be able to thrive in their improved site conditions. The Brodie Oaks Redevelopment anticipates preserving all heritage trees in place or by transplant within the site.
	Tree plantings use Central Texas seed stock native and with adequate soil volume.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will plant native trees and plants per the City of Austin's Grow Green Guide as part of its broader restoration goals.
Environment / Drainage	Provides at least a 50 percent increase in the minimum waterway and/or critical environmental feature setbacks required by code.	<ul style="list-style-type: none"> There are no waterways or known Critical Environmental Features on site
	Clusters impervious cover and disturbed areas in a manner that preserves the most environmentally sensitive areas of the site that are not otherwise protected.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment is clustering development away from the Barton Creek Greenbelt and restoring the property from surface parking lots back to original grades along the Barton Creek Greenbelt. The Brodie Oaks Redevelopment will maintain a buffer of between 75' and 550' to Land Use Area 1A or 1B from the Barton Creek Greenbelt property line.
	Provides porous pavement for at least 20 percent or more of all paved areas for non-pedestrian in non-aquifer recharge areas.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment is mostly located over the Edwards Aquifer Recharge Zone.
	Provides porous pavement for at least 50 percent or more of all paved areas limited to pedestrian use.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment is mostly located over the Edwards Aquifer Recharge Zone.
	Provides rainwater harvesting for landscape irrigation to serve not less than 50 percent of the landscaped areas.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will provide rainwater harvesting for landscape irrigation to serve 50 percent of the landscaped areas. The Brodie Oaks Redevelopment will also utilize the SOS Ordinance compliant ponds for landscape irrigation.
	Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment is fully compliant with the SOS Ordinance.
Austin Green Builder Program	Provides a rating under the Austin Green Builder Program of three stars or above.	<ul style="list-style-type: none"> No superiority. The Brodie Oaks Redevelopment will provide a 2- Star Austin Energy Green Building rating.

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
Art	<ul style="list-style-type: none"> 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 in Public Places Program or a successor program. 	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment anticipates an artful and vibrant environment within open spaces and streetscapes and has identified a minimum of three locations for the incorporation of public art. The Brodie Oaks Redevelopment will provide a performance pavilion in the Central Green.
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>).	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will meet or exceed the Great Street Program on the Internal Circulator Route.
Community Amenities	Provides community or public amenities, which may include spaces for community meetings, community gardens or urban farms, day care facilities, non-profit organizations, or other uses that fulfill an identified community need.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will provide 13.7-acres of amenitized and publicly accessible open space maintained by the development.
Community Amenities	Provides publicly accessible multi-use trail and greenway along creek or waterway.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will provide an extensive publicly accessible open space and trail system with a dedicated trailhead and connection to the Barton Creek and Violet Crown Trail System.
Transportation	Provides bicycle facilities that connect to existing or planned bicycle routes or provides other multi-modal transportation features not required by code.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will provide a series of bicycle facilities for all types of users along the private streets with public access easements and will provide a shared use path adequate for recreational cycling that will connect through the site and to off-site trail networks. All private streets within the project will be within a public access easement. The Brodie Oaks Redevelopment will provide a Traffic Demand Management Plan identifying Travel Demand Management techniques intended to reduce vehicular trips to the site by a minimum of 40 percent and encourage more transit ridership on Capital Metro's high-capacity MetroRapid Route 803 located adjacent to the site on S. Lamar Boulevard.
Building Design	Exceeds the minimum points required by the Building Design Options of Section 3.3.2. of Chapter 25-2, Subchapter E (<i>Design Standards and Mixed Use</i>).	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment is modifying aspects of Subchapter E to respond to specific site conditions and will ultimately provide a building design that meets and exceeds the design standards of Section 3.3.2 Subchapter E.

Brodie Oaks Development Assessment Superiority Table

ITEM	REQUIREMENT	PROPOSED PUD SUPERIORITY
Parking Structure Frontage	In a commercial or mixed-use development, at least 75 percent 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.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will design at least 75 percent of the building frontage of all parking structures along the Internal Circulator Route for pedestrian oriented uses. Special treatments such as false facades, vertical art or green walls will be utilized on parking garages visible from Loop 360 and S. Lamar Boulevard to enhance the aesthetic of the site.
Affordable Housing	Provides for affordable housing or participation in programs to achieve affordable housing.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment is proposing to provide 10 percent of the bonus area as affordable housing. All affordable units will be provided on site and will be dispersed throughout the development. Due to the compact nature of the development and the need for additional height to achieve the desired open space and impervious cover, the project will be providing a higher amount of affordability on site than what would be achievable with lower density development.
Historic Preservation	Preserves historic structures, landmarks, or other features to a degree exceeding applicable legal requirements.	<ul style="list-style-type: none"> There are no identified historic structures on the site.
Accessibility	Provides for accessibility for persons with disabilities to a degree exceeding applicable legal requirements.	<ul style="list-style-type: none"> The Brodie Oaks Redevelopment will provide a superior level of accessibility on the site including the addition of ADA accessible sidewalks on all streets and shared use paths within the park space.
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.	<ul style="list-style-type: none"> To the extent possible and in agreement with existing businesses, the Brodie Oaks Redevelopment will provide space to existing on-site businesses such as the grocery store and food and beverage establishments.

Brodie Oaks Redevelopment Code Modification Table

THE ORIGINAL CODE HAS BEEN PROVIDED IN THE “PROPOSED PUD REGULATION” COLUMN IN BLACK, WITH MODIFIED OR REMOVED TEXT HIGHLIGHTED IN RED AND UNDERLINED.

CODE SECTION	PROPOSED PUD REGULATION	JUSTIFICATION
General		
25-1-21 – Definitions. (11)	Modify: BLOCK means one or more lots, tracts, or parcels of land bounded by streets <u>(public or private), 30’ wide or larger pedestrian paseo or courtyard with a minimum 5’ sidewalk or trail, public or private park space/open space, easement, or plaza space,</u> railroads, or subdivision boundary lines.	Creative use of open space, parks, plazas, and paseos will be used throughout the development to achieve maximum walkability, connectivity, and value for the development.
25-1-21 – Definitions	Modify: GROSS FLOOR AREA means the total enclosed area of all floors in a building with a clear height of more than six feet, measured to the outside surface of the exterior walls. The term includes loading docks and excludes atria airspace, parking facilities, <u>parking structures,</u> driveways, and enclosed loading berths and off-street maneuvering areas.	Vehicular facilities were never anticipated to be included in gross floor areas. It is desirable to clarify that parking structures are excluded from gross floor area as originally intended.
25-1-21 – Definitions	Addition: <u>OPEN SPACE (OS) means the areas identified as Parks and Open Space on Exhibit C: Brodie Oaks Redevelopment Land Use Plan.</u>	Designated Parks and Open Space are intended as a buffer providing enhanced accessibility and vistas into the Barton Creek Greenbelt.
25-1-21 – Definitions. (98)	Modify: ROADWAY means the portion of a street right-of-way, <u>alley, and/or private streets with public access easements</u> used for vehicular travel.	We are expanding upon the given definition in the Land Development Code to include all vehicular paths that may be used within the Brodie Oaks Redevelopment.
25-1-21 – Definitions. (105)	Modify: SITE means a contiguous area intended for development, or the area on which a building has been proposed to be built or has been built. <u>A site may not cross a public street or right-of-way. A site within the Brodie Oaks Redevelopment boundary may cross a public or private street with public access easements.</u>	The Brodie Oaks Redevelopment boundary is 37.6 acres and is split into seven tracts by private streets with public access easements. Flexibility for a site to cross a public or private street is needed to create a unified design throughout the entirety of the development.
Zoning		
25-2, Subchapter B, Article 2, Subpart C, Section 3.2.2. (C) (Residential Uses)	Remove: <u>(C) for multifamily development, the maximum floor-to-area ratio;</u>	To remain compact and connected, the primary criteria for density shall be based on a contribution to overall impervious coverage, unit count and height maximums.
25-2, Subchapter B, Article 2, Subpart C, Section 3.2.3. (B) (Nonresidential Uses)	Remove: <u>(B) the maximum floor area ratio, which may not be greater than the maximum floor-to-area ratio permitted in the most restrictive base zoning district in which proposed use is permitted;</u>	To remain compact and connected, the primary criteria for density shall be based on a contribution to overall impervious coverage, unit count and height maximums. Floor to area ratios apply sitewide, but not on a parcel by parcel basis.

Brodie Oaks Redevelopment Code Modification Table

CODE SECTION	PROPOSED PUD REGULATION	JUSTIFICATION
	<p>Modify: (D) the minimum front yard and street side yard setbacks, shall be modified as stated in Exhibit C: Brodie Oaks Redevelopment Land Use Plan which must be not less than the greater of:</p> <ol style="list-style-type: none"> 1. 25 feet for a front yard, and 15 feet for a street side yard; or 2. those required by Subchapter C, Article 10 (Compatibility Standards); 	Building locations shall conform with an urban development located along a high capacity transit corridor.
25-2, Subchapter B, Article 2, Subpart B, Section 2.5.2.B – Requirements for Exceeding Baseline.	<p>Modify: (B). the developer either:</p> <ol style="list-style-type: none"> for developments with residential units, provides contract commitments and performance guarantees that provide affordable housing meeting or exceeding the requirements of Section 2.5.3 (Requirements for Rental Housing) and Section 2.5.4 (Requirements for Ownership Housing); or for developments with no residential units, either provide contract commitments and performance guarantees that provide affordable housing meeting or exceeding the requirements of Section 2.5.3 (Requirements for Rental Housing) and Section 2.5.4 (Requirements for Ownership Housing) within the boundaries of the Brodie Oaks Redevelopment OR provides the amount established under Section 2.5.6 (In Lieu Donation) for each square foot of bonus square footage above the baseline to the Affordable Housing Trust Fund to be used for producing or financing affordable housing, as determined by the Director of the Neighborhood Housing and Community Development Department. 	The exact size and density of the future development will be contingent on the market. The Brodie Oaks Redevelopment is committed to meeting affordability requirements for both residential and non-residential buildings and would like the option to meet affordability requirements in non-residential buildings within another building on the site.
25-2-491 – Permitted, Conditional, And Prohibited Uses	Modify: (A) Exhibit C: Brodie Oaks Redevelopment Land Use Plan The table in Subsection (C) provides the permitted uses for the property.	Brodie Oaks Redevelopment is planned to be more mixed-use than the base zoning district would allow.
25-2-491- Permitted, Conditional and Prohibited Uses	Addition: The permitted uses included in <i>Exhibit C: Brodie Oaks Redevelopment Land Use Plan</i> may be amended administratively in the future provided there is no increase in trips, number of units, or impervious cover.	The Brodie Oaks Redevelopment is anticipated to be governed by this PUD into the foreseeable future, as new uses are added or amended the PUD should be able to accommodate those administratively.
25-2-492 – Site Development Regulations	Modify: (A) The table in Subsection (C) provides the permitted and conditional uses for each base district. "P" means a use is a permitted use, "C" means a use is a conditional use, and "X" means a use is prohibited. Endnotes provide additional information. Exhibit C: Brodie Oaks Redevelopment Land Use Plan establishes the principle site development regulations.	The Brodie Oaks Redevelopment is proposing denser and more compact uses along S. Lamar Boulevard and Loop 360 frontages to minimize impervious cover. To achieve this goal, it is necessary to have more flexibility in the minimum setbacks and development standards in the Brodie Oaks Redevelopment.

Brodie Oaks Redevelopment Code Modification Table

CODE SECTION	PROPOSED PUD REGULATION	JUSTIFICATION
25-2-1052 Compatibility Standards – Exceptions;	Addition: This Article does not apply to: <u>(4) The Brodie Oaks Redevelopment PUD</u>	The Barton Creek Greenbelt is currently zoned SF-2 instead of public. While the Brodie Oaks Redevelopment has included open space along most of the parkland boundary, compatibility standards may impact portions of the site designated for development. The proposed Land development Code revisions had dedicated the park as "Park".
25-2 - Subchapter E Sec 2.2.1 B	Modify: The roadway with the highest level of priority adjacent to the lot or site is considered the "principal street" for purposes of this Subchapter. For a lot or site that is adjacent to more than one roadway of equal priority, the development shall be subject to the standards associated with the roadway with the highest level of transit service <u>that does not contain TxDOT ROW</u> as determined by the Director. If the roadways do not have transit service or the level of transit service is equal, the roadway designated by the lot owner. <u>The priority street for the Brodie Oaks Redevelopment is the Internal Circulator Route.</u> For large sites subject to Section 2.2.5. or for sites abutting more than one roadway type, the Sidewalk and Supplemental Zone requirements (but not the Building Placement and Parking requirements) shall apply along all abutting streets or the Internal Circulation Route frontages, with the applicable requirements determined by the roadway type.	S. Lamar Boulevard is predominantly a TxDOT ROW and functions more as an on-ramp for Loop 360 in this location. The character of this roadway in this location does not lend itself to the active, vibrant, and high-quality pedestrian environment that is desired by the Brodie Oaks Redevelopment. The Brodie Oaks Redevelopment is planning extensive improvements along South Lamar to include sidewalks a transit stop and street trees.
25-2 Subchapter E 2.2.2B 1 Planting Zone	Modify B1a. Planting Zone. The planting zone shall have a minimum width of eight <u>six</u> feet (from face of curb) and shall be continuous and located adjacent to the curb <u>or cycle track provided that the sidewalk width is never less than 15'.</u>	The Brodie Oaks Redevelopment is including a double allee of trees and a cycle track within the street frontage. In addition, the project may need to alter the size of the planting strip in order to accommodate existing trees along the Internal Circulator Route.
25-2 Subchapter E 2.2.2B 2 Clear Zone	Modify: B2. Clear Zone. The clear zone shall be a minimum width of seven <u>six</u> feet, shall be hardscaped, shall be located adjacent to the planting zone, and shall comply with ADA and Texas Accessibility Standards. The clear zone shall be unobstructed by any permanent or nonpermanent element for a minimum width of seven <u>six</u> feet and a minimum height of eight feet <u>provided that the sidewalk width is never less than 15'.</u>	The Brodie Oaks Redevelopment is including a double allee of trees and a cycle track within the street frontage. In addition, the project may need to alter the size of the clear zone in order to accommodate existing trees along the Internal Circulator Route.
25-2 Subchapter E 2.2.2E Off Site Parking	Modify: E1. Off-street <u>surface</u> parking is prohibited between the Core Transit Corridor and the corresponding street-facing facade line. <u>Off-street structured parking is prohibited between the Internal Circulator Route and the corresponding street-facing facade line.</u>	Blocks adjacent to S. Lamar Boulevard are less than 250' deep. The Internal Circulator Route is the priority street and structured parking adjacent to the Internal Circulator Route will be lined with active uses and plaza spaces. No surface parking will be located between the building and S. Lamar Boulevard.

Brodie Oaks Redevelopment Code Modification Table

CODE SECTION	PROPOSED PUD REGULATION	JUSTIFICATION
25-2 Subchapter E 2.2.5 C Block Standards	Modify: C1. Unless exempted by this subsection, a site shall be divided into internal blocks, no larger than 5 acres. <u>The perimeter of a block is defined by private streets with a public access easement, public streets, and public open spaces that include a pedestrian path.</u> The maximum length of any block face, as measured from intersection to intersection, shall be 800 feet.	The Brodie Oaks Redevelopment PUD is limited in the number of vehicular access points to TxDOT frontage roads. The project is also situated adjacent to the Barton Creek Greenbelt for a majority of the northwestern boundary line reducing the ability to make vehicular connections. The project is improving both pedestrian and bicycle access within and through the site.
25-2 Subchapter E 2.2.5 G	Modify: G.2 If the Internal Circulation Route is intended to accommodate bicycles, head-in and angle parking is not permitted <u>except when the cycle tract is provided between the clear zone and the head-in or angle parking.</u>	The Brodie Oaks Redevelopment is including cycle tracts along the Internal Circulator Route. Refer to <i>Exhibit E: Brodie Oaks Redevelopment Street Cross Sections</i> .
25-2 Subchapter E 4.3.3 C	Modify: C. Along at least 75 percent of the building frontage along the principal street, the building must be designed for commercial uses in ground-floor spaces that meet the following standards. <u>A residential use or amenity space for residential uses may occupy a space that is designed for commercial uses.</u> A lobby serving another use in the VMU building shall not count as a pedestrian-oriented commercial space for purposes of this section <u>as long as it is designed to meet the standards of this section.</u> a. A customer entrance that opens directly onto the sidewalk; b. A depth of not less than 24 feet; c. A height of not less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling; and d. A front facade that meets the glazing requirements of Section 3.2.2.	The Brodie Oaks Redevelopment is focusing active ground floor uses around the internal green space and central buildings along the Internal Circulator Route. Other ground floor spaces will be designed so that they can accommodate additional commercial in the future based on demand.
25-2-1104 – Hill Country Roadway Overlay Exceptions	Addition: <u>(F) This article does not apply to development within Area's 1 or 2 of Exhibit C: Brodie Oaks Redevelopment Land Use Plan.</u>	The Hill Country Roadway Ordinance is not compatible with the Imagine Austin Comprehensive Plan designation of the site as a Center for Redevelopment in Environmentally Sensitive Areas. The site is currently developed and does not contribute to the Hill Country aesthetic that is being preserved through the ordinance. The Brodie Oaks Redevelopment will establish a more appropriate transition from the Imagine Austin Comprehensive Plan High Capacity Transit Corridor on S. Lamar Boulevard to the Hill Country along Loop 360.
Subdivision		
25-4-171 – Access to Lots	Modify: (A) Each lot in a subdivision shall abut a dedicated public street, <u>or private street with public access easement.</u>	Private streets with public access easements will serve the Brodie Oaks Redevelopment.

Brodie Oaks Redevelopment Code Modification Table

CODE SECTION	PROPOSED PUD REGULATION	JUSTIFICATION
Transportation		
25-6-171 – Standards for Design and Construction.	Modify: (A) Except as provided in Subsections (B) and (C), a roadway, street, or alley must be designed and constructed in accordance with the Transportation Criteria Manual and City of Austin Standards and Standard Specifications <u>and Exhibit E: Brodie Oaks Redevelopment Street Cross Sections.</u>	To provide a compact and connected community, we would like to provide alternative street sections that allow for additional pedestrian and bike connections and more landscaping.
Section 25-6-477, 25-6-478, 25-6-532 and Appendix A – Off-Street Parking and Loading	Addition: <u>The minimum off-street parking, bicycle parking, and loading requirements shall be determined by the director subject to a Transportation Demand Management Plan approved as part of the PUD.</u>	The Brodie Oaks Redevelopment intends to provide a mixed use development with a robust travel demand management plan to better utilize shared parking opportunities within the site and to surrounding multi-modal connections.
TCM 1.3.1 General Design Criteria	Addition: <u>Allow the construction of the Bicycle Friendly Connector between the Brodie Oaks Redevelopment site and Barton Creek Plaza as indicated in Exhibit E: Brodie Oaks Redevelopment Street Cross Sections.</u>	The Brodie Oaks Redevelopment is proposing to improve the street between the project and Barton Creek Plaza with a Shared Use Path. This street exists within a 40' easement and the multi-use trail would be provided on the park side of the easement.
Environmental		
25-8-25(C)	Modify (C)(1): The requirements of this subchapter do not apply to the redevelopment of the property if the redevelopment: <u>(1) Includes an impervious cover tracking chart that guarantees a decrease in impervious cover with each phase of development such that impervious cover in the final phase of development is 54 percent or less of the total site area.</u>	The Brodie Oaks Redevelopment intends to build out in phases in accordance with <i>Exhibit H: Brodie Oaks Redevelopment Phasing Plan</i>
25-8-26 – Redevelopment Exception in the Barton Springs Zone	Modify: (F) City Council approval of a redevelopment in accordance with Subsection (G) is <u>not</u> required if the redevelopment <u>is located within the Brodie Oaks Redevelopment.</u> Remove: (H) Redevelopment of property under this section requires the purchase or restriction of mitigation land if the site has a sedimentation/filtration pond.	The Brodie Oaks Redevelopment is fully complying with the Save Our Springs (SOS) Ordinance water quality mitigation requirements and is not utilizing any sedimentation/ filtration ponds.
25-8-341 – Cut Requirements	Modify: Cuts on a tract of land may not exceed four feet depth except <u>where indicated in Exhibit G: Brodie Oaks Redevelopment Grading Plan</u>	The Brodie Oaks Redevelopment is proposing to restore the site back to original pre-development grades and cuts exceeding 4' will be necessary to achieve restoration.
25-8-342 – Fill Requirements	Modify: Fill on a tract of land may not exceed four feet depth except <u>where indicated in Exhibit G: Brodie Oaks Redevelopment Grading Plan</u>	The Brodie Oaks Redevelopment is proposing to restore the site back to original pre-development grades and fill exceeding 4' will be necessary to achieve restoration.
25-8-641 – Removal Prohibited	Modify: (B) A permit to remove a heritage tree may be issued only if a variance is approved under Section 25-8-642 (Administrative Variance) <u>as amended in this PUD</u> or 25-8-643 (Land Use Commission Variance).	A limited number of Heritage trees will need to be relocated on site to accommodate the restoration of the site to natural grades or to accommodate the compact nature of the redevelopment.

Brodie Oaks Redevelopment Code Modification Table

CODE SECTION	PROPOSED PUD REGULATION	JUSTIFICATION
25-8-642 – Administrative Variance	Addition: <u>(A)(4) if required to restore the site to natural grade or accommodate the compact nature of the redevelopment transplanting a heritage tree may be approved administratively. Transplanting a heritage tree is not considered removal if the criteria in ECM Section 3.5.4.E are met.</u>	A limited number of Heritage trees will need to be relocated on site to accommodate the restoration of the site to natural grades or to accommodate the compact nature of the redevelopment.
ECM 1.5.3 (B) Open Space	Modify: Open space includes the following uses: Public or Private Park. Park facilities may include water quality ponds, picnic areas, bathrooms, shade pavilions, play grounds, stages, interpretive centers, public art, bird viewing blinds, trails, trail and pedestrian amenities, interpretive signs, seating, mowed meadow, informal lawn space and other applicable items determined at the time of site plan uses like picnic facilities, benches, community gardens, and other recreational amenities and appurtenances.	The Brodie Oaks Redevelopment anticipates a system of highly amenitized and activated parks and open spaces including an intentional trailhead to the Barton Creek Greenbelt and areas for public viewing and vistas.
ECM 1.8.1 – 25-8-63 (C) – Impervious Cover Calculations	Modify: Impervious cover calculations exclude: <ul style="list-style-type: none"> sidewalks in a public right-of-way or public <u>access</u> easement <u>or publicly accessible open space containing a public recreation easement;</u> multi-use trails open to the public and located on public land or in a public <u>access</u> easement <u>or publicly accessible open space containing a public recreation easement;</u> 	The Brodie Oaks Redevelopment is proposing superior amenities and multi-modal transportation routes within the publicly accessible open space and private streets with public access easements. The project seeks to clarify that impervious cover for sidewalks and multi modal paths does not apply within these areas.
Site Plans		
Sec. 25-5-81(B)	Modify: Except as provided in Subsections (C), (D), and (E) of this section, a site plan expires three <u>eight</u> years after the date of its approval.	The Brodie Oaks Redevelopment is intended to be phased over a number a years.