

COMMENT REPORT

CASE NUMBER: C814-2021-0099

CASE MANAGER: Kate Clark

PHONE #: 512-974-1237

REVISION #: 00

UPDATE: 0

PROJECT NAME: Brodie Oaks Redevelopment

SUBMITTAL DATE: June 3, 2021

REPORT DUE DATE: July 2, 2021

FINAL REPORT DATE: July 27, 2021

REPORT LATE: 25 BUSINESS DAYS

LOCATION: 4021, 4025, 4107, 4109, 4115, and 4141 S. Capital of Texas Hwy NB; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 S Lamar BLVD SB.

STAFF REVIEW:

- This report includes all comments received to date concerning your planned unit development. The planned unit development will be approved when all requirements identified in this report have been addressed. However, until this happens your planned unit development is considered disapproved.
- PLEASE NOTE: IF YOU HAVE ANY QUESTIONS, PROBLEMS, CONCERNS OR IF YOU REQUIRE ADDITIONAL INFORMATION ABOUT THIS REPORT, PLEASE DO NOT HESITATE TO CONTACT YOUR CASE MANAGER (referenced above) at the CITY OF AUSTIN, HOUSING AND PLANNING DEPARTMENT, 1000 E 11th St, Austin, TX 78702.

REPORT:

- The attached report identifies those requirements that must be addressed by an update to your application in order to obtain approval. This report may also contain recommendations for you to consider, which are not requirements.
- ADDITIONAL REQUIREMENTS AND RECOMMENDATIONS MAY BE GENERATED AS A RESULT OF INFORMATION OR DESIGN CHANGES PROVIDED IN YOUR UPDATE.

UPDATE DEADLINE:

- It is the responsibility of the applicant or their agent to update this planned unit development (PUD) application. This PUD application is subject to Order No. 20210216-026 (Stay Home, Mask, and Otherwise Be Safe) and Section 25-2-282(A) (Land Use Commission Public Hearing and Recommendation).

Art in Public Places – Susan Lambe – 512- 974-7852

- AIPP 1. With the inclusion of *Exhibit I Brodie Oaks Redevelopment Art Master Plan* and stating the project will have a “*minimum of two locations for the incorporation of locally sourced public art*” this PUD should receive a superior rank for Art.
- AIPP 2. Please either confirm the amount per art piece or total amount of funding to be dedicated to artwork for this PUD. This amount along with development triggers will become part of the ordinance.

Austin Energy Green Building – Sarah Talkington – 512-482-5393

- AEGB 1. All residential and commercial development shall comply with Austin Energy Green Building (AEGB) rating system for a minimum three-star rating. Certification from AEGB shall be met as specified by the version of the rating system current at the time of design.

Austin Fire Department (Research & Data Analytics) – Laura Everett – 512-974-4134

Currently this area is experiencing high response times above our 8-minute goal 90% of the time. AFD is asking for dedicated land or space for a station within Brodie Oaks Redevelopment. To prepare for AFD’s future fire protection service, we are requiring either of the following be provided by the developer:

- 5-acre (net buildable) lot to place one 6 bay fire/EMS station; OR
- 10,000-14,000 square feet within the lowest three floors/stories of a mixed-use structure and adjacent 3-4 bays for fire/EMS apparatus.

Both options require:

- An entrance/egress on a major roadway.
- Location and design of the lot or space must be approved by AFD/EMS.

Austin Fire Department (Prevention Review) – Tom Migl – 512-974-0164

- AFD 1. Please revise lane widths from the constrained street design standard to the recommended design standard as published with the draft TCM. This right-of-way (ROW) is a proposed street and not a street section within an existing ROW.
- AFD 2. Based on the building heights proposed the buildings will be considered a “high rise” per the IBC/IFC codes, as such all AFD access must be a minimum unobstructed 25 feet width. This can be accomplished with two 12.5 feet travel lanes or the recommended travel lane widths as required in the draft TCM with designated bike lines next to the vehicle travel lanes.
- AFD 3. This development will be subject to the Wildland-Urban Interface (WUI) code Ordinance No. 20200409-040, the subsequent plats and building permits will be reviewed for compliance. For sections/phases over 30 dwelling units, the Fire Marshal will require two remote routes of access for both the public and first responders use. The proposed development is within 150 feet and 1.5 miles of a Wildland hazard fuel load. Please provide a vicinity map with associated setbacks per the ordinance to anticipate building impacts to the proposed development. FYI - the development with clearing or understory management and surrounding developments may mitigate fuel loads and provide relief for buildings within 150 feet. As required by this ordinance the streets/access routes shall be a minimum 25 feet unobstructed width. This requirement will be attributed all streets and any access that is closest or borders the Barton Creek Greenbelt. The current plan identifies an alley way that borders the greenbelt or development along the greenbelt such as this route must comply with minimum requirements for a 25-foot wide fire lane.

Austin Water Utility Review – Virginia Collier – 512-972-0117

- AW 1. The Brodie Oaks PUD shall submit a completed version of Austin Water’s Water Balance Calculator tool to assess non-potable demands and determine available alternative water supplies for the development.
- AW 2. The Brodie Oaks PUD shall use alternative water sources, either onsite sources or municipal reclaimed water, within the development for all non-potable uses such as irrigation, cooling and toilet/urinal flushing applications.
- AW 3. Service Extension Requests 4969 and 4970 are currently in review and must be approved prior to formal development plan approval per Utilities Criteria Manual 2.5.1(F)(13). For status, contact Katie Frazier at (512)-972-0232 or Katie.Frazier@austintexas.gov.

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility

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

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

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

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

City Arborist – Jim Dymkowski – 512-974-2772

FYI - ADDITIONAL COMMENTS MAY BE GENERATED WHEN THE REQUESTED INFORMATION HAS BEEN PROVIDED.**CODE MODIFICATIONS**

- CA 1. Relocations are not considered removal during review. Please clarify the need to revise the two code sections 25-8-641 and 642.
- CA 2. Potential relocations need to be reviewed prior to PUD approval if this option is proposed by the PUD. Please provide a full tree survey including these potential transplant trees along with a feasibility report from the tree moving company and the potential planting plan to confirm that what is being offered by the PUD is sound for future redevelopment.
- CA 3. Staff does not currently support the modification to 25-2 Subchapter E 2.2.2B 1 Planting Zone reduction in size to 6 feet from back of curb. Please provide additional information as to how this is superior to current code of 8 feet for street tree plantings and their success as required along the internal circulation routes within the PUD.

Tier 1 and Tier 2 Superiority - As it pertains to tree preservation and planting the City Arborist does not currently recommend Tier 2 Superiority as currently proposed.

- CA 4. The PUD proposes removal of impervious cover and habitat restoration for the section of the PUD that falls within the Hill Country Roadway Boundary. This is required by current code. Please provide additional information on tree replanting over and above what may already be required by code for mitigation and landscape requirements.
- CA 5. The PUD is not currently proposing to meet the Tier Two percentage requirements for trees to be preserved for protected size and smaller trees onsite. The rationale for this is stated as “due to tree conditions”. Please provide a full tree survey and tree condition report from a qualified arborist for all trees within the PUD to allow staff to review for this proposal to not meet these Tier Two options. Staff would require review of potential transplanting of trees in healthy condition to be part of the PUD’s Tier Two requirements to meet the preservation percentages prior to staff recommending the PUD superiority for trees.

EXHIBITS

- CA 6. Exhibit G – Grading. Thank you for this exhibit and information. Staff was not able to review for potential impacts to trees as originally requested as there was no tree legend with tree numbers, size, and species included to correspond with the tree circles shown on the exhibit. Please provide this additional information to allow for review at this time.

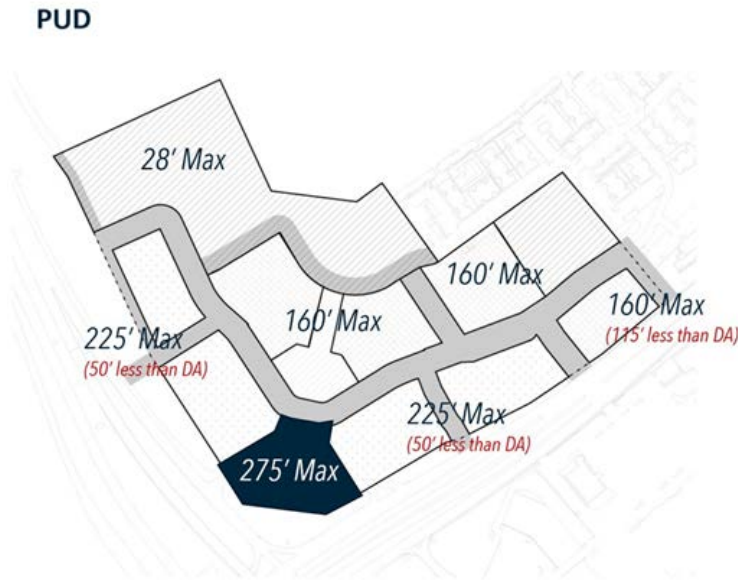
Comprehensive Plan Review – Kathleen Fox – 512-974-7877

This Planned Unit Development (PUD) is located on the northeast corner of Capital of Texas Highway and South Lamar Boulevard, on an approximately 37.61-acre site, that currently contains a variety of commercial and retail uses, including a grocery store, retail and office uses, restaurants and a Hobby Lobby. The property consists of multiple address points, is located within the boundaries of an Activity Center for Redevelopment in Sensitive Environmental Areas (Lamar & Ben White) and along the South Lamar Activity Corridor. This rezoning case is not located within the boundaries of an adopted small area plan. Surrounding land uses include the Barton Creek Greenbelt and Trail and an apartment complex to the north; to the south is a shopping center; to the east is an apartment complex and commercial uses; and to the west is the Barton Creek Greenbelt, an office building and commercial uses.

The development proposal calls for clearing the site and *“transforming it from a suburban shopping center and surface parking lots to a compact, vibrant, transit-oriented, and mixed-use center that includes 13.2 acres of new publicly accessible open space (which is 35 percent of the site and 5 times the amount of greenspace required under Tier 2) with views of the downtown skyline and Hill Country forming a new gateway to the Barton Creek Greenbelt.”* Specifically, this project proposes approximately 1,233 mid-rise multifamily residential units, 467 high-rise dwelling units (up to 275 feet tall), 1,260,000 square feet of office space, 200 hotel rooms, 140,000 square feet of retail and 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 following points are taken from the applicant’s rezoning application highlighting some of the proposed improvements and features of the planned project:

- Reposition 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 density and height proposed for the Brodie Oaks Redevelopment enable the project to meet the vision established in Imagine Austin Comprehensive Plan 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 SOS Water Quality Standards. Reducing impervious cover from 84 percent to 54 percent, complying with SOS water quality standards. Eliminate nearly 4 acres of untreated runoff from buildings and parking currently draining directly into the Barton Creek Greenbelt. The proposed plan will allow only water from open space to leave the site. Plant native or native adaptive trees and vegetation and be committed to a Tree Health and Maintenance Plan. Save or move the many of the heritage trees on the site.
- Restore over 25 percent of the site to open space adjacent to the Barton Creek Greenbelt, which is made possible through building up to 275’ tall along the Loop 360 and S. Lamar Boulevard frontage.



- All buildings will have direct pedestrian connections from entrance to adjacent streets. Provide shade trees or shade structures along all streets. The Brodie Oaks Redevelopment provides transit-supportive densities within walking distance of the high-capacity MetroRapid Route 803 transit stop as called for in Imagine Austin. Discuss the coordination of a Purple Line high capacity MetroRapid Route 803 transit stop. A shared parking strategy and a travel demand management plan is included in PUD Submission 1.
- Create a shared-use path of approximately 2,500 linear feet extending from S. Lamar Boulevard to Park Road that will run along the park's edge and be used for mobility and recreation uses. Constructing a designated trailhead and connection to the Barton Creek Greenbelt with signage, trash disposal and parking. Provide a network of active trails, public sidewalk, and install a publicly accessible trailhead into the Barton Creek Greenbelt.
- At least 80 percent of the parking will be underground or in parking structures. Shared parking and travel demand management strategies will reduce reliance on single-occupancy vehicles. The project will also provide a network of up to 6,000 feet of active trails, 10,000 feet of sidewalk, and an intentional trailhead to the Barton Creek Greenbelt and Violet Crown Trail including trail access, wayfinding, and interpretive materials, as well as access to parking and restrooms. Restore and transform 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.
- Provide a bike share station, bike parking, lockers, and showers. Pedestrian and bicycle access and connectivity strategies include the funding or construction of pedestrian and bicycle amenities and infrastructure on roadways and at intersections that people would use to access the Project site. Examples of pedestrian and bicycle access and connectivity features include bike lanes, bike boxes, sidewalks, curb ramps, crosswalks, bicycle signal heads, and pedestrian-hybrid beacons.
- Designate 10 percent of the 'bonus' area of both residential and non-residential square footage for affordable housing on-site regardless of ownership or rent.

- Buildings will meet LEED and WELL Building and Community standards to ensure health and well-being on the site.
- Commit to the installation of a minimum of two art installations from local artists and the incorporation of performance venues. A central green will be developed and programmed for events and entertainment acting as the central core of food and beverage options. Parkland dedication will be met through private, but publicly accessible parks that enlarge Gus Fruh Park. The remainder of the parkland dedication requirement will be paid with fee-in-lieu. Use 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.
- Waive compatibility standards triggered by the Barton Creek Greenbelt's SF-2 Zoning. The current plat contains a scrivener's error restricting residential uses on a portion of the site. A plat amendment to address this error was submitted concurrently with the PUD application.

CONNECTIVITY

This site is adjacent to CapMetro's Metro Rapid Route 803, along the South Lamar Imagine Austin Corridor. Per the applicant's agent: *"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."* Existing mobility and connectivity options in and around the site are below average and considered unsafe for pedestrians.

IMAGINE AUSTIN

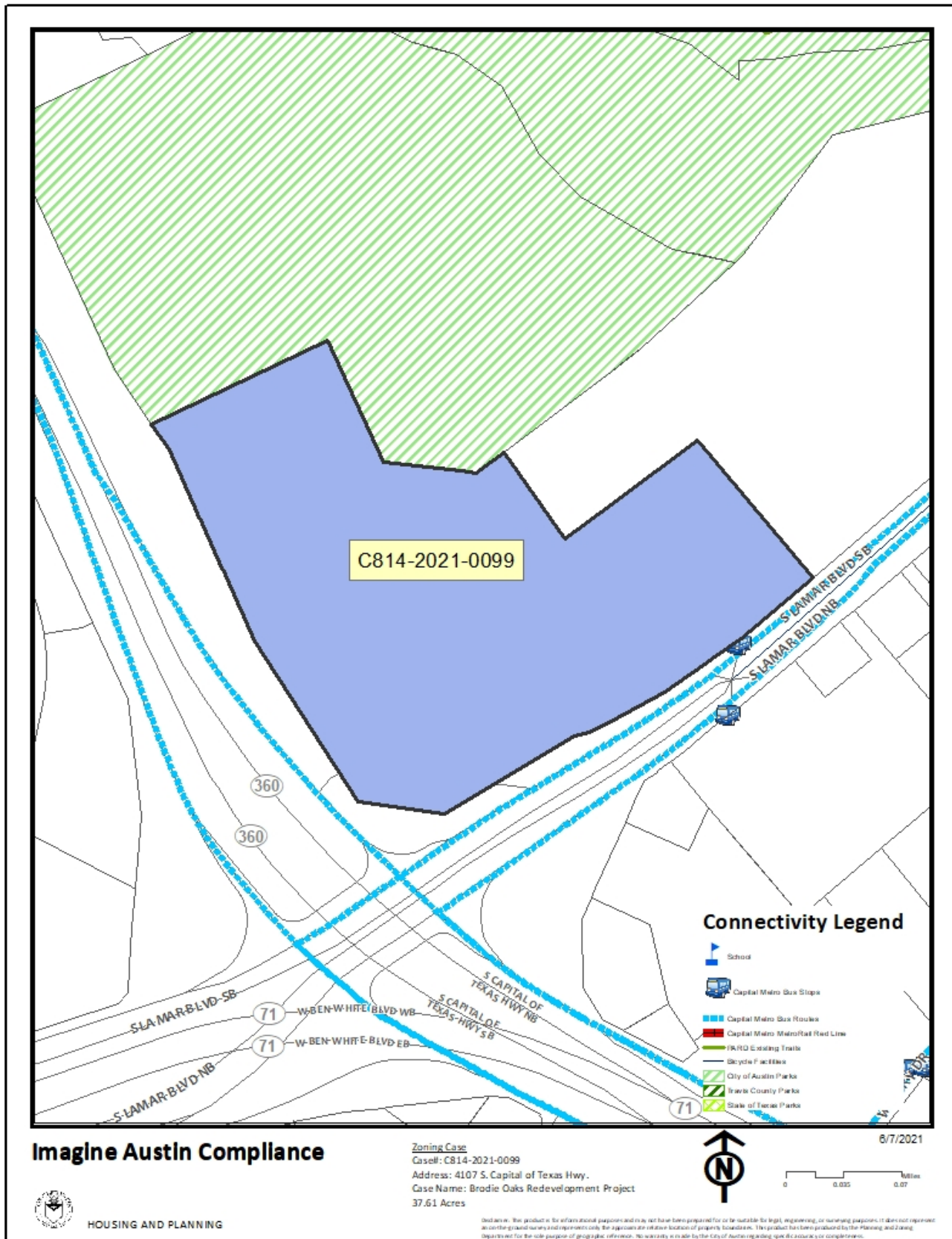
The *Imagine Austin Growth Concept Map* identifies this property as being near one of the five *Activity Center for Redevelopment in Sensitive Environmental Area* as identified on the Imagine Austin Growth Concept Map, found in the *Image Austin Comprehensive Plan (IACP)*. Page 106 of the IACP states, "Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context". One of the Land Use and Transportation policies, LUT P21 (page 102), clarifies the intent, "Ensure that redevelopment in the Edwards Aquifer's recharge and contributing zones maintains the quantity and quality of recharge of the aquifer." Activity Centers are supposed to be walkable, bikeable, and supported by transit.

The property is also located along the South Lamar Activity Corridor. Activity Corridors are intended to allow people to reside, work, shop, access services, people watch, recreate, and hang out without traveling far distances. They are characterized by a variety of activities and types of buildings located along the roadway - shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings and offices.

The following IACP policies are also applicable to this rezoning case:

- LUT P1. Align land use and transportation planning and decision-making to achieve a compact and connected city in line with the growth concept map.
- LUT P3. Promote development in compact centers, communities, or along corridors that are connected by roads and transit that are designed to encourage walking and bicycling, and reduce health care, housing and transportation costs.
- LUT P5. Create healthy and family-friendly communities through development that includes a mix of land uses and housing types and affords realistic opportunities for transit, bicycle, and pedestrian travel and provides both community gathering spaces, parks and safe outdoor play areas for children.

Based upon the proposed project's *Superiority Table* stating it will meet or exceed a variety of environmental standards, improve connectivity and mobility options in the area, add cultural amenities, and provide an affordable housing component, this PUD appears to support the Imagine Austin Comprehensive Plan policies.



Drainage Engineering Review – Danielle Guevara – 512-974-3011

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

This project is located at 4021, 4025, 4107, 4109, 4115, and 4141 S. Capital of Texas Hwy NB; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 S Lamar BLVD SB and is within the Barton Creek watershed, which is classified as the Barton Springs Zone. This project is located within the Edwards Aquifer Contributing Zone.

- DE 1. DCM 5.3.2 – You are requesting a waiver from maximum velocities in a pipe. You state the velocity is decreasing; however the existing is listed as 21.0 fps and the proposed as 21.6 fps. Please clarify. Also, this waiver needs review by the Watershed Engineering Division (WED). Once the above is clarified, WED will be engaged for review.

Electric Review – Andrea Katz – 512-322-6957

- EL 1. Civic use space will be required for on-site substation, though substation location is yet to be determined. Substation planning ongoing.

Environmental Officer –Atha Phillips – 512-974-2132

PLANS

- EO 1. The note under the Land Use Plan Site Metrics chart states that 54% impervious cover is based on gross site area, please give the impervious cover using net site area per SOS rules. It is likely the same number, do not include manmade slopes.
- EO 2. Exhibit C states that the Hill Country Roadway Ordinance (HCRO) will not apply. Why are you not able to meet these requirements? Please let us know specifically what portion of the HCRO your project cannot meet.
- EO 3. Remove Note #7 from Exhibit C, not all of these are allowed by code, impervious cover should be based on actual numbers and not have exceptions to lower the number. For example, porous pavement within the Edwards Aquifer Recharge Zone is not considered impervious.
- EO 4. Exhibit D, there is a note about Co-Locating Irrigation. Manipulating re-irrigation times was suggested so that the re-irrigation could be moved out of the greenbelt. This will not be supported if re-irrigation is still located within the greenbelt.

- EO 5. This comment is pending the Law Department confirming that the proposed development has the right to re-irrigate using the deed provided.
- EO 6. This comment is pending infiltration test in the proposed re-irrigation greenbelt areas. If re-irrigation is proposed in the greenbelt, a better location may be the old landfill that was recently restored.

CODE MODIFICATIONS

- EO 7. On page 6, the applicant is asking to waive the requirements of the Hill Country Roadway Ordinance, staff does not agree and would like to know what provisions the project is not able to meet.
- EO 8. Page 8, the modification to 25-8-213 is pending removal of re-irrigation from the greenbelt.
- EO 9. Page 8, ECM 1.6.7.5(A), although staff may support longer times to empty a pond if the re-irrigation is removed from the greenbelt, the proposal of 144 hours is too long and could promote mosquito habitat that would be a nuisance. Please ask for what is realistically needed for this option.
- EO 10. Page 10, 25-8-514, please provide the net site area impervious cover calculation.
- EO 11. Page 10, 25-8-63 and ECM 1.8.1, we do not agree to impervious cover exceptions, ask for the impervious cover the project needs. Also, porous pavement over the Edwards Aquifer Recharge Zone is not considered impervious per 25-8-63(C)(8).
- EO 12. Page 10, 25-8-281, the approval for modified buffers is pending further review.

TIER 1 AND 2

- EO 13. The redevelopment exception is mentioned several times during the superiority chart, please remove the references since this site will not be using it in the PUD and it is not the baseline.
- EO 14. Many of the comments made above also apply to the Tier One and Two tables, please update for next submittal.

<h2>Environmental Review – Pamela Abee-Taulli – 512-974-1879</h2>
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- EV1. Provide ECM Q1 and Q2 tables. In the Drinking Water Protection Zone impervious cover is calculated on a net site area basis.

EXHIBITS

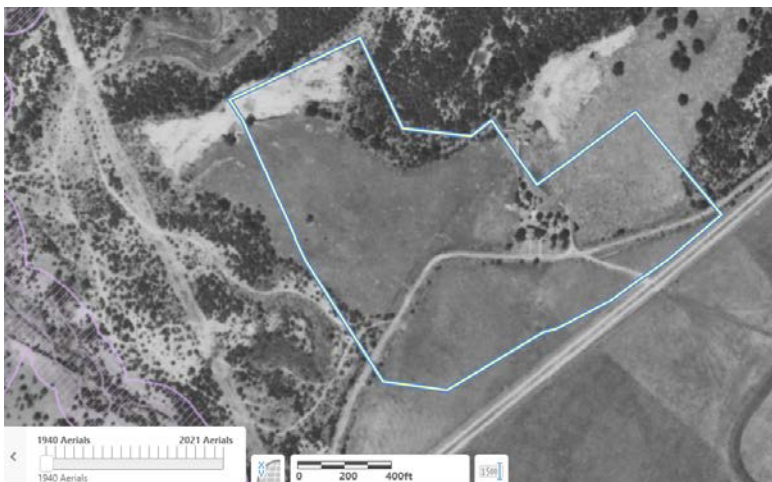
- EV2. *Exhibit C: Land Use Plan.* Remove the note on sh. 4 stating, “Chapter 25-2 Article 11 Hill Country Roadway Overlay Requirements shall not apply to any portion of Land Use Area 1.” Proposed modifications to Hill Country Overlay requirements are proposed to be made strategically to individual provisions, not as a blanket rejection of an entire section of code.

- EV3. *Exhibit G: Grading Plan.* Clarify whether the cut shown in the image below is “for construction of a water quality control or detention facility and appurtenances for conveyance such as swales, drainage ditches, and diversion berms” [LDC 25-8-341(A)(4)].

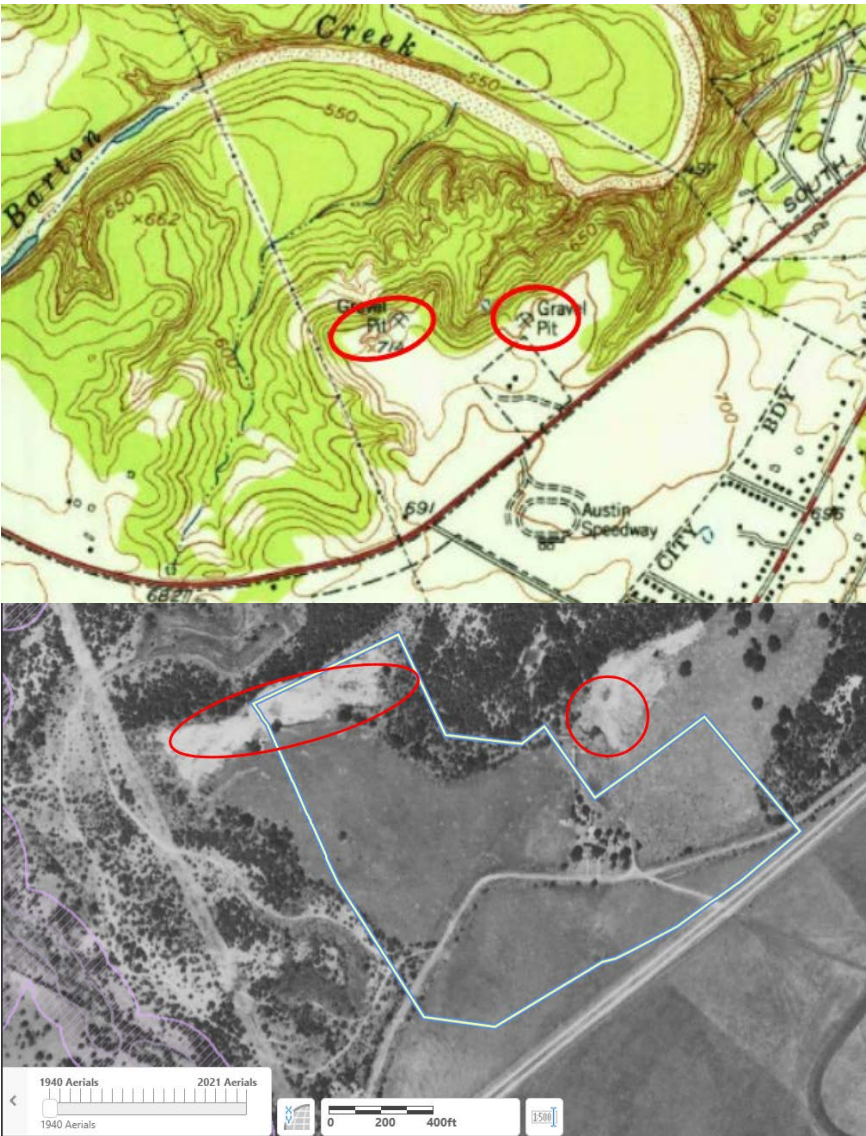


CODE MODIFICATIONS

- EV4. 25-2-1104. The justification for modifying this code states, “The project will meet and exceed Hill Country Roadway Overlay requirements within the portion of Land Use Area 2 that is within the Hill Country Roadway Overlay.” However, 25-2-1023(A), (Chapter 25-2, Subchapter C, Article 9, Division 3. Additional Site Plan Requirements in Hill Country Roadway Corridors) requires that “vegetation within 100 feet of the dedicated right-of-way may not be cleared, unless the clearing is necessary to provide utilities and access to the site.” There is an existing drive in the area for the vegetative buffer. Please explain how the drive is “necessary to provide...access to the site.”
- EV5. 25-2-1026. Explain the reason for the proposed addition of the word “permanent” in the code modification for Hill Country Roadway: § 25-2-1026 - PARKING LOT MEDIANS. A **permanent** parking lot must have a median at least ten feet wide containing existing native trees or dense massing of installed trees between each distinct parking area.
- EV6. 25-8-341/342. If the development “is proposing to restore the site back to original pre-development grades,” modifications to 25-8-341 & 342 may not be necessary. Grading is measured from the original elevation, so returning the site to original grades will require less rather than more grading. Please do more research to get a better idea of the pre-development elevations. The image below is from 1940 and is available on Property Profile. The topo was provided by the previous reviewer.



Also, it looks to me as if the two gravel pit areas shown on the topographic map (1955?) are outside of the areas where grading is proposed with this project.



SUPERIORITY TABLE

EV7. CWQZ.

CWQZ		Removes existing impervious cover from the Critical Water Quality Zone.	There are no Critical Water Quality Zones on the site. Nevertheless, the overall site impervious cover will be reduced to a maximum 54 percent impervious - a 36 percent reduction from current conditions.	+
<div>This is not relevant. Please remove it.</div>				
+ Superior	+/- Partial Superiority	- No Superiority		
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STORMWATER RUNOFF

- EV8. See EV 6 of the Development Assessment: “The PUD proposes compliance with the SOS Ordinance, however that ordinance is not germane to directing stormwater runoff to landscaped areas. *For guidance, refer to the requirements in City Code 25-2-1008* and propose a method in relation to City Code requirements that will demonstrate PUD superiority.” This comment still stands.

Stormwater Runoff <div style="border: 1px solid red; padding: 5px; color: red;">Remove this sentence. It is not accurate.</div>		Directs stormwater runoff from impervious surfaces to a landscaped area at least equal to the total required landscape area.	<div style="background-color: yellow;">The Brodie Oaks Redevelopment is fully compliant with the SOS Ordinance.</div> As such, the runoff from impervious surfaces will be directed to one of two SOS retention/irrigation systems or in the existing pond at the Retreat at Barton Creek. Currently, 6.25 acres of the site (63 percent of which is impervious cover) drains directly into the Barton Creek Greenbelt. In the planned conditions, only limited impervious cover from sidewalks within the open spaces drains into the Barton Creek Greenbelt. The Brodie Oaks Redevelopment is committed to satisfying this Tier 2 requirement through the methods described above.	+
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- EV9. **Primary irrigation source.** SOS Ordinance is not germane to this item. *For guidance, refer to the requirements in City Code 25-2-1008* and propose a method in relation to City Code requirements that will demonstrate PUD superiority.

Floodplain Review – Karol Susan Menhard – 512-974-3373

GENERAL FLOODPLAIN COMMENTS:

Reviewer notes: 37.6-acre redevelopment site at S Lamar Blvd and US290/Loop360 in the Barton Creek watershed. Proposed redevelopment is not making improvements in the floodplain; as such no defined floodplain exists on the property since drainage area less than 64 acres. No floodplain review required for this case based on submitted documents. Comments below are standard FYIs.

- FP1. FYI: As the PUD does not request changes or amendments to floodplain code and criteria, all future applications in the PUD area will be required to meet floodplain regulations in effect at the time of application including but not limited to: prohibition of new buildings and parking located in the floodplain, requirements to demonstrate that all proposed development activities located within the floodplain do not adversely impact the floodplain on other property and all other floodplain regulations.
- FP2. FYI: Our understanding of flood risk in Austin is changing. What is now known as the 500-year floodplain is a good representation of what the 100-year floodplain will be according to a National Weather Service publication called Atlas 14. This could affect the layout of this development, including the location of lots, drainage easements, buildings, parking, and roadways. The City will likely be using the current 500-year floodplain as the design floodplain for residential and commercial building permit review in the near future. In order to minimize flood risk to our community and better ensure that all the lots in this PUD can be developed in the future, the City of Austin recommends that you consider the 500-year floodplain as a surrogate for the 100-year

floodplain when designing this developments within the PUD area. Please contact this reviewer if you have any questions.

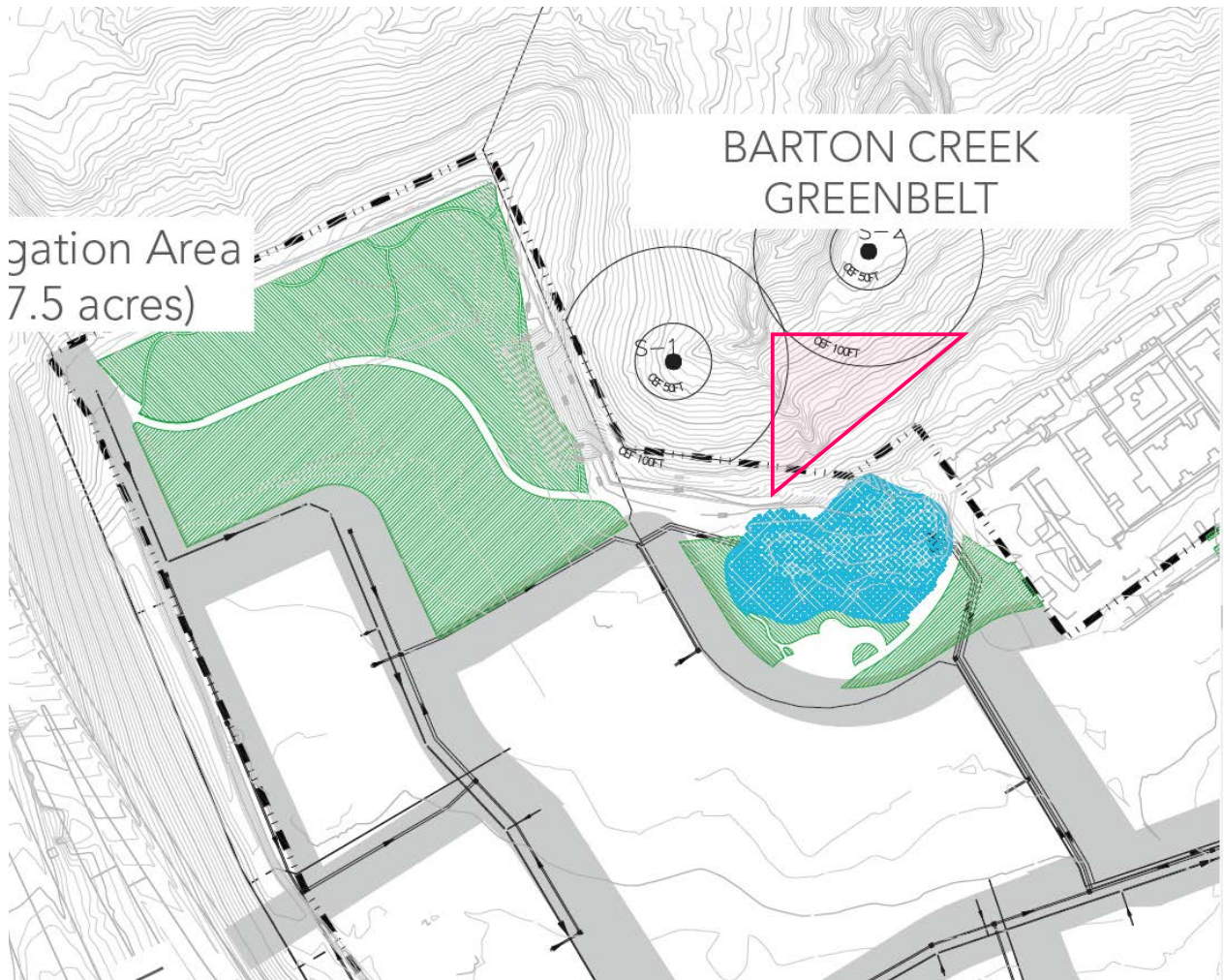
Housing HPD – Nathan Jones – 512-974-3462

- HHPD 1. For the non-residential development component, HPD supports a fee-in-lieu of on-site affordable housing to the Housing Trust Fund of not less than an amount equal to the planned unit development fee rate current at the time of site plan submittal times the bonus square footage dedicated to a non-residential use.
- HHPD 2. For residential development, HPD supports an on-site affordable housing dedication consisting of at least 50% two or more bedroom rental units.

Hydro Geologist Review – Eric Brown – 512- 978-1539

PLEASE BE ADVISED THAT ADDITIONAL COMMENTS MAY BE GENERATED AS INFORMATION IS UPDATED. IF AN UPDATE IS REJECTED, REVIEWERS ARE NOT ABLE TO CLEAR COMMENTS BASED ON PHONE CALLS, EMAILS, OR MEETINGS, BUT MUST RECEIVE FORMAL UPDATES.

- HG 1. Please add a void and water flow mitigation note to the cover sheet: “This project is subject to the Void and Water Flow Mitigation Rule (COA ECM 1.12.0 and COA Item No. 658S of the SSM) provision that all trenching greater than 5 feet deep must be inspected by a geologist (Texas P.G.) or a geologist’s representative.”
- HG 2. Please add a note: “This project is located within the Edwards Aquifer Recharge Zone as defined by TCEQ Texas Administrative Code (30 TAC) Chapter 213.”
- HG 3. Clearly show the boundaries of all Critical Environmental Features (CEF) setbacks as a shaded or hatched area and clearly label the setbacks: “CRITICAL ENVIRONMENTAL FEATURE SETBACK.”
- HG 4. Only include the standard 150-foot setback for all CEFs. Remove 50-foot setback label.
- HG 5. Please calculate area of reduction for setback S-1 (orange) and incorporate into the buffers on the upslope side between S1 and S2 (pink). See picture below for additional clarification



- HG 6. Please add a note stating that: “The presence of a Critical Environmental Feature on or near a property may affect development. All activities within the Critical Environmental Features (CEF) setback must comply with the City of Austin Code and Criteria. The natural vegetative cover must be retained to the maximum extent practicable; construction is prohibited; and wastewater disposal or irrigation is prohibited.”
- HG 7. Perimeter fencing must be installed at the outer edge Critical Environmental Feature (CEF) setback area for all point recharge features. (CEF - F1 on ERI) Fencing must meet or exceed the criteria of COA Item No. 701S of the SSM. At least one four-foot wide, lockable access gate must be provided [LDC 25-8-281(C)(4)].
- HG 8. Please show approximate locations of all irrigation lines within the referenced irrigation areas with special attention paid to keep them away from CEF setbacks and slopes >15%.
- FYI After discussions with the group it has been decided that there are no residual concerns about impacting the cave footprint as part of the redevelopment. The Buda and Del Rio formations provide enough overburden (120-ft to 150-ft) for protection. That being said, staff is recommending that subsurface excavations be limited to 20-feet to be safe.

Office of Sustainability – Marc Coudert – 512-974-2016

The *Brodie Oaks Redevelopment Superiority Table* submitted with the PUD application outlines strategies to incorporate many of the elements in the Carbon Impact Statement (CIS), including:

- Location of transit on the adjacent Lamar Blvd
- Creating of bicycle facilities
- Creating a walkable landscape with access to trails
- Provide showers and indoor bicycle parking
- located in an Imagine Austin activity center or corridor

In addition, staff from the Office of Sustainability met with Lionheart Places to review the project and provide feedback. No further comments at this time.

PARD/Planning and Design Review – Thomas Rowlinson – 512-974-9372

- PR 1. The PUD application as currently presented does not meet staff requirements for parkland superiority. A majority of the proposed parkland is encumbered by either irrigation or SOS ponds. By this reviewer's calculations, over 60 percent of the proposed parkland is encumbered by either irrigation or ponds (not including the roadway, see PR 3). At least 50 percent of the parkland to be dedicated must be less than 10 percent grade, well drained, and suitable for active play, per the Parkland Dedication Operating Procedures §14.3.7; the ponds and irrigation areas do not meet this criterion. Encumbrances to the proposed parkland must be modified to maximize active recreation in order to meet parkland dedication standards and achieve superiority. PARC staff recommends alternatives such as landscaping for buildings/other land uses, water capture, cisterns, and reuse in plumbing to lessen amount of irrigation needed from the parkland.
- PR 2. To be considered a superior development with respect to parks, the project must provide at least 10.4 credited acres of parkland per 1,000 residents (including hotel rooms). Parkland and open space should be centrally located and contiguous, where feasible. The parkland must be dedicated to the City of Austin per §14.3.9 of the Parkland Dedication Operating Procedures. Private parkland is not acceptable for superiority. Dedication must be fee simple instead of privately owned with easements, as currently proposed. Please revise exhibits accordingly. Parkland should be noted as 'parkland dedicated to the City of Austin'.

The 15 percent gross site area parkland cap is not applicable to PUDs per §14.3.9 (C) of the Parkland Dedication Operating Procedures; remove reference to an applicable cap for this development from the park and open space exhibit. The amount of credit to assign the proposed parkland is unclear (see PR 3). If the development cannot provide the 10.4 acres of credited

parkland per 1,000 residents with onsite dedication, alternatives for superiority will need to be considered. Fees in-lieu may also be required should there be a deficiency in parkland to attain 10.4 acres per 1,000 residents. Exact amount of parkland and credit assignment must be finalized to clear this comment. Please contact this reviewer to discuss: thomas.rowlinson@austintexas.gov.

- PR 3. In order to determine credited acreage of public parkland, provide a map and calculations showing how much of the proposed parkland is the 25-year floodplain, 100-year floodplain, critical water quality zone, critical environmental feature buffer, or other encumbrances such as easements (either existing or proposed) and re-irrigation. Parkland that is used for the development's stormwater irrigation shall receive a lower credit. Please include proposed irrigation areas into the credit calculations. The internal roads appear to be included in the park areas, as well. Roads may not be counted toward the parkland and should be removed from the park areas.
- PR 4. The parks must have some impervious cover allotment in order to provide recreational facilities. How much impervious cover is proposed to be transferred out of the park, and how much will remain? PUD exhibits do not explicitly detail how much impervious cover will be part of the park lots. Some impervious cover should be reserved for the park areas.
- PR 5. To be considered superior, the park must be developed in accordance with a plan approved by PARD. Parks must be designed to properly function as parks. Water quality and drainage exhibit has the Overlook, Trailhead, and Neighborhood parks almost entirely encumbered by either SOS ponds or irrigation. Please indicate how active recreational amenities will function with the proposed co-location of the irrigation. PARD anticipates a high number of dogs using these parks; indicate how irrigation will function with the anticipated cleaning and maintenance of these parks. Is retract-able irrigation possible?
- PR 6. The park development plan should describe the park improvements and amenities provided. \$100 per unit over the existing FY 2020-21 fees would likely not result in a superior development here. Given the deficiency in park acreage required for a superior development, PARD recommends that a substantial investment is made in the parks so as to achieve a superior park system. Please provide costs associated with the proposed designs for these parks to better formulate the superiority in park development. Some additional amenities that could be required include bathrooms, performance or event spaces and playscapes. Contact this reviewer to discuss final list of required amenities: thomas.rowlinson@austintexas.gov.

Note that any parkland dedication development fees should only be used toward the parks being dedicated with this project – revise comments on the park exhibit accordingly.

- PR 7. PARD has not received sufficient documentation that the applicants are entitled to use the existing Barton Creek Greenbelt parkland for irrigation. As such, the proposal cannot be considered – remove any reference to irrigation in existing parkland. Even if the applicants were entitled to do so, PARD cannot support the proposal to use existing parkland for the development's irrigation. PARD finds such a proposal contrary to a superior development. Revise to exclude irrigation in existing parkland from the exhibits.

PARD supports the termination of this right. Please detail how the applicant proposes to withdraw and terminate any irrigation rights in existing parkland.

- PR 8. This development will require triggers for when the parks are dedicated and developed. Triggers should indicate when the parkland is dedicated fee simple, not by easement. Note that subdivision, resubdivision, replat, and correcting scrivener's errors may all be considered a "subdivision plat", which could pose challenges to the dedication depending on when the applicants intend to submit such applications (if they are required). Dedication triggers could specify 'first subdivision or site plan, whichever is first', or 'upon written request from PARD', with PARD and developer working on an appropriate time to request the dedication (similar to other PUDs). Trigger should also mention when park development must be completed.
- PR 9. PARD recommends that the proposed parks achieve SITES Silver certification. Note that the parks will achieve this certification as a development requirement in the relevant exhibits.
- PR 10. PARD recommends that 50 parking spaces be reserved for parks users. Note that a minimum 50 parking spaces shall be reserved for park use within the development in the relevant exhibits.

Site Plan Review – Christine Barton-Holmes – 512-974-2788

- SP1. Please clarify in the Land Use Plan that Hill Country Roadway standards do apply to a limited extent.
- SP2. In the Code Modification Table, page 6, please add 25-2-1022 – Native Trees and 25-2-1027 – Visual Screening to the sections of the Hill Country Roadway that will be applicable to the site.
- SP3. Staff suggests that some of the uses listed as by-right would be more appropriate as conditional uses. Liquor sales, cocktail lounges, and amphitheaters if part of the outdoor entertainment should be conditional uses, or limited in the PUD language to a certain size and/or locations.
- SP4. In the Redevelopment Superiority Table, page 7, please clarify how eliminating the height requirement will reduce the number of jobs/dwelling units per acre. Should this be increase rather than reduce?
- SP5. In the Redevelopment Superiority Table, page 8, please clarify how much shade will be provided on streets. Section 2 of Subchapter E requires 50%; is this proposed to be increased?
- SP6. Although S Lamar and Loop 360 are functionally highways at this location, please ensure that there will be no blank walls facing either ROW.

Subdivision Review – Steve Hopkins – 512-974-3175

- SR 1. Proposed change to 25-4-171 Access to lots: Allow private streets with a public access easement.
- SR 2. Proposed change to 25-4-62 Expiration of preliminary plan: Extend life of an approved preliminary plan from 5 years to 7 years.

- SR 3. Staff does not object to the proposal because the process for creating and dedicating ROW will remain intact. That process requires dedication of public or private ROW on a final plat after a preliminary plan is approved. LDC 25-4-51.

Transportation Engineering – Amber Hutchens – 512-974-5646

- ATD 1. Applicant will be required to construct all back of curb improvements compliant with the South Lamar Blvd 2016 Mobility Bond plan requirements and dedicate any space, right-of-way, or easement, necessary for such improvements.
- ATD 2. A traffic impact analysis is required and has been received. Additional right-of-way, participation in roadway improvements, or limitations on development intensity may be recommended based on review of the TIA. [LDC 25-6-142]. Comments will be provided in a separate memo.
- ATD 3. Transportation Plan Note 1 reads: The Park Street and associated shared use path connects the Brodie Oaks Redevelopment to the Barton Creek Plaza. Pavement of the Park Street will remain in existing conditions but the shared use path will be additional. Staff is assessing this statement and whether we can support it; further comment will be emailed directly to the applicant as soon as it is available.
- ATD 4. On the Transportation Plan and all PUD exhibits: use the same terms on each exhibit related to connectivity – clearly label the beginning and terminations of Park Streets and Internal Circulation Routes on each exhibit. Additionally, please clarify on how it would interact with the existing private street along this alignment.
- ATD 5. There is currently no way for a pedestrian or cyclist to cross in any direction at the interchange of Ben White and South Lamar, adjacent to this site. This is the biggest missing safety and connectivity element for multimodal travel in this area. How will this PUD contribute to addressing this challenge? (Tier 2 Superiority Requirements)
- ATD 6. Park Street A should connect to the Barton Creek trail access to the northwest. (Tier 2 Superiority Requirements)
- ATD 7. At the northeast end of the Internal Circulator Route, it should connect to South Lamar and the improvements planned on that street. (Tier 2 Superiority Requirements)
- ATD 8. Proposed Cross Sections
- Internal Circulator Route Cross Sections should meet dimensions listed in TCM update and Austin Street Design Guide, update the widths of all raised bike lanes and tree zones to 7' and parking widths to 8'.
 - Park Street Cross Sections: Update the buffer zone between the street and Shared Use Path to 12'.

- ATD 9. Section 25-6-477, 25-6-478, 25-6-532 and Appendix A – Off-Street Parking and Loading: Staff supports the use of TDM to reduce the parking needs for this site; this still requires a set of ratios and reductions that can be applied consistently and clearly to land uses applying for permits within the PUD. Please provide parking ratios that are alternative to those found in the Land Development Code (LDC) for assessment or use the LDC as the starting point for the site's parking requirements. Deferring all parking determinations to the director will not be acceptable.
- ATD 10. For Tier 1 Superiority, language prohibiting gated roadways must be incorporated into the PUD ordinance.
- ATD 11. 25-1-21 – Definitions. (11) BLOCK: A 5' sidewalk is not sufficient to meet the circulation and connectivity objectives of the Code's definition of Block. For block measurements to produce effective connectivity the sidewalk should at least 12' wide.
- ATD 12. 25-2 - Subchapter E Sec 2.2.1 B PRIORITY STREET MODIFICATION: Staff will be meeting internally to discuss this code request and its impact on the ability to active the South Lamar Blvd frontage. Further comment will be emailed directly to the applicant.
- ATD 13. 25-2 Subchapter E 2.2.5 G, Modify, G.2 If the Internal Circulation Route: No head in back out parking of any kind will be supported along any of the Internal Circulation Routes or Park Street Cross Sections.
- ATD 14. 25-6-171 – Standards for Design and Construction: If the roads will be built to City of Austin Standards, modification of this language to construct alternative cross-sections is not necessary. TCM Street Cross Sections do not have to be modified per Code, they can be modified administratively. Please clarify the need for this modification.

Water Quality Review – Danielle Guevara – 512-974-3011

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

This project is located at 4021, 4025, 4107, 4109, 4115, and 4141 S. Capital of Texas Hwy NB; 3940, 4006, 4024 - 4040, 4200, 4220, 4236 S Lamar BLVD SB and is within the Barton Creek watershed, which is classified as the Barton Springs Zone. This project is located within the Edwards Aquifer Contributing Zone.

- WQ 1. Please work with the City including the Watershed Protection Department and PARD on other options for irrigation area locations that may work better for the Parkland uses.

- WQ 2. Please provide irrigation testing at all proposed infiltration area locations per ECM 1.6.7.4 to demonstrate those areas will work (once the infiltration area locations are finalized per WQ1 above).

Wetlands Biologist Review – Miranda Reinhard – 512-978-1537

- WB 1. Wetland CEFs and CEF setbacks are located with 150ft of the project area. Development is prohibited with CEF setbacks which may affect some facets of the project and whether or not superiority is demonstrated per the Superiority Table. It is unclear at this time how the CEF setbacks affect this project due to lack of clarity in the application packet. Please provide an exhibit that shows the wetland CEF setbacks and identify if any proposed items in the Superiority Table are affected.

Zoning Review – Kate Clark – 512-974-1237

ADDITIONAL COMMENTS MAY BE GENERATED WHEN THE REQUESTED INFORMATION HAS BEEN PROVIDED.

- ZN 1. Please update rezoning case number to C814-2021-0099 on all sheets.
- ZN 2. Please clarify whether code modification 25-1-21 (Definitions) for BLOCK intends to include a 5' break (sidewalk/trail) as a qualifying block break, or if the intent was to have a minimum 30' wide courtyard that included a minimum 5' sidewalk/path within it.
- ZN 3. Per *Exhibit C: Brodie Oaks Redevelopment Land Use Plan – Page 1*, the applicant listed FAR in the “Land Use Area Metrics” table and provided notes stating how the FAR would be calculated and tracked through the site plan/redevelopment process. Zoning and Site Plan Review staff discussed the PUD’s proposed tracking table and averaging of FAR based on Land Use Area and suggest removing FAR from the table completely. This will allow maximum impervious cover, building height, building coverage, land use areas and Subchapter E (as modified by this PUD) to determine building design and massing.
- ZN 4. Per *Exhibit C: Brodie Oaks Redevelopment Land Use Plan – Page 1*, within the “Land Use Area Metrics” table for Land Use Area 2, it states “N/A” for Building Cover and square footage amount is left blank for non-residential. However, in *Exhibit C: Brodie Oaks Redevelopment Land Use Plan – Page 3* there are several proposed land uses being permitted within this area. Please either remove these uses as being permitted or provide building cover and proposed square footage amounts as necessary.
- ZN 5. The applicant is requesting additional height per *Exhibit C: Brodie Oaks Redevelopment Land Use Plan – Page 2*. Staff is still reviewing the requested maximum heights in combination with the proposed *Code Modification Table* and *Superiority Table*.

- ZN 6. The following are protected uses established by federal case law and cannot be prohibited: Group Home, Class I (General); Group Home, Class I (Limited) and Group Home, Class II. Please add these uses to the permitted uses for Area 1 on Exhibit C: Brodie Oaks Redevelopment Land Use Plan – Page 3.
- ZN 7. Staff does not support allowing for “cocktail lounge” and “liquor sales” as a permitted use by-right without a maximum allowable square footage. Please either make these uses Conditional or provide a maximum square footage for each use.
- ZN 8. Please clarify intent for including “limited warehousing and distribution” as a permitted land use. This can be an intense land use and is not typically located near residential uses.
- ZN 9. Please clarify whether Land Use Area 2 is intended to be left as open space or developed (see ZN 4). There are several land uses being proposed as permitted within this area.
- ZN 10. Please remove (or clarify) the inclusion of “Food Preparation” in Land Use Area 2. Per its definition within the LDC, this land use is for “the production of prepared food for wholesale distribution in a structure with not more than 5,000 square feet of gross floor area. The use includes wholesale bakeries, commercial kitchens, and specialty food processing or packaging shops, but excludes the on-site slaughter of animals and the commercial production of ice.”
- ZN 11. On *Exhibit F: Brodie Oaks Redevelopment Water Quality and Drainage* the Airman’s Cave is identified as a line on the map, but it is not clear where the cave is located. Please clarify if most of the site is over the cave or if only a small portion of the site is located over the cave.
- ZN 12. On *Exhibit H: Brodie Oaks Redevelopment Phasing Plan*, under Note 4 where items for the tracking chart are listed, please remove Floor-To-Area Ratio from the list (see ZN 3).
- ZN 13. There are items listed within the *Superiority Table* that appear to not be applicable to the proposed PUD (e.g. Page 2 of 17 under Channel Design it states “there are no natural or constructed channels on-site”). Please revise your table to show these items as either not applicable or no superiority instead of superior.
- FYI As the applicant is requesting to develop residential uses within the PUD and has provided an *Educational Impact Statement (EIS)* with the rezoning application. City staff will forward the EIS forms to AISD for further review.
- FYI Per code modification to Section 25-2 Subchapter E. 4.3.3F (page 5 of 11), the modification refers to the Brodie Oaks Redevelopment Superiority Table. Staff is fine with this code modification; however Superiority Tables are not part of Ordinances and language to address this code modification will be modified as necessary.

Case Manager – Kate Clark – 512-974-1237

A PRELIMINARY STAFF RECOMMENDATION CANNOT BE DETERMINED AT THIS TIME BASED ON THE INFORMATION PROVIDED IN THIS APPLICATION.

A formal update is necessary. Please schedule an appointment with Intake and submit one copy of the plans and response memo to each of the reviewers listed below. PLEASE CLEARLY LABEL ALL PACKETS WITH THE REVIEWER'S NAME.

Additional comments may be generated as requested information is provided. Please include a comment response letter indicating how comments have been addressed. If required as part of the PUD approval, please address all fiscal/fee requirements and provide copies of the receipts to the Case Manager prior to final ordinance readings at City Council.

Reviewers:

1. Art in Public Places – Susan Lambe
2. Austin Fire Department (Research & Data Analytics) – Laura Everett
3. Austin Fire Department (Prevention Review) – Tom Migl
4. Austin Water Utility Review – Virginia Collier
5. City Arborist – Jim Dymkowski
6. Drainage Engineering Review – Danielle Guevara
7. Electric Review – Andrea Katz
8. Environmental Officer – Atha Phillips
9. Environmental Review – Pamela Abee-Taulli
10. Housing HPD – Nathan Jones
11. Hydro Geologist Review – Eric Brown
12. PARD/Planning and Design Review – Thomas Rowlinson
13. Site Plan Review – Christine Barton-Holmes
14. ATD Engineering – Amber Hutchens
15. Water Quality Review – Danielle Guevara
16. Wetlands Biologist Review – Miranda Reinhard
17. Zoning Review – Kate Clark