

Hill Country Indoor Planned Development District Amendment

Transmittal Letter for 6/27/17 City Council Meeting

Purpose

The primary objective of the proposed PDD Amendment is to increase the maximum participant load established by the preceding ordinance ([14-201](#)) from 198 to 413 (*2.8x increase*.) Related to that intent, the applicant also proposes to 1) make adjustments to the square footage allocation of uses within the primary building and 2) to construct a ~47', four story parking garage in the southeast corner of the site.

Background

Site Characteristics: 8.6 acre tract located at the southeast intersection of Bee Cave Parkway and Skaggs Drive. Under construction.

Adjacent Neighbors:

- North: Bee Cave Parkway, Ladera, undeveloped tract west of Target.
- South: Unnamed project access drive. Skaggs family tracts (existing use: residential; zoned: Retail)
- East: Undeveloped/future Backyard project (offices, Distributed Energy Center and hotel are closest proposed uses)
- West: Undeveloped, City-owned property

Previous Approvals:

- **May 2012:** Original [Planned Development District Ordinance 12-113](#). Zoned property Planned Development –Retail for an indoor sports complex.
- **July 2014:** [PDD Amendment Ordinance 14-201](#) approved. Remained zoned PD-R and relatively similar use profile, but project layout, architecture, and other associated development were modified.
- **February 17, 2015:** Site Plan denied (permit # 14-144-SNPS) by P&Z Commission due to traffic concerns.
- **March 24, 2015:** Site Plan approved (permit # 14-144-SNPS) in accordance with Ord 14-201. The meeting minutes are attached and a recording of the City Council Meeting can be found at this [Dropbox link](#). The item discussion (two files) starts at ~00:22:00, the TIA discussion starts around ~00:57:00 and the motion begins around ~02:55:00.
- **June 29, 2015:** Site construction work begun.
- **November 30, 2015:** Building permits issued.
- **May 16, 2017:** The subject PDD Amendment approved by P&Z Commission with conditions (see recommendation section.) A recording of the Planning & Zoning Commission Meeting can be found at this [Dropbox link](#). Item starts at ~00:03:05 and ends ~01:25:10 (motion is made at 01:24:20.)

Issues and Analysis

USES	Approved/Under Construction	Proposed
General Description	An indoor, athletic fields facility with supportive retail (e.g. physical therapy, sports apparel); ancillary work-out space, running track, and 1 batting cage to be primarily used by 1) sports teams conditioning before/after field practice and 2) parents waiting for their children to complete practice on the fields; and support space (e.g. HCI staff offices, small concession area, locker rooms). Facility to be used primarily for practice with occasional games and tournaments.	The same indoor athletic fields and running track, but conversion of all retail and a portion of the support space to a larger health club and other fitness-related components, thereby creating a second, “primary use” within the same building.
Specific Uses		
Fields:	1 soccer/lacrosse/football field; 4 basketball/volleyball courts	Same.
Batting Cages:	1	4
Practice/Multi-purpose Turf:~	~ 4,000 sf *	0 sf
Health Club/Fitness:	~ 4,000 fitness center*	14,100 sf*
Exercise Studio:	0 sf	2,900 sf*
Strength Training/Weights:	0 sf	5,000 sf*
Party Room/Day Care:	0 sf	1,200 sf
Indoor Playscape “Ballocity”	0 sf	1,800 sf
Rock Climbing Wall:	0 sf	3,000 sf
Running Track:	~ 1,350 linear feet	~Same.
Open Area/Lounge/Concessions	~1,000 sf*	7,000 sf
Admin Offices:	~2,400 sf*	3,700 sf
Storage/Bathrooms:	unspecified	3,688 sf
Retail:	9,000 sf (alt: gymnastics)	0 sf
Outdoor Playscape:	no exact sf, proposed southeast of building, splash pad & seating area.	same location, deferral of splash pad to a “later phase
Temporary Membership Trailer:	480 sf. To be removed within 7 days from date of issuance of CO of main building.	480 sf. To be removed within 7 days from date of issuance of CO of main building.
Notes	<i>*Application for Ordinance 14-201 grouped these uses together and collectively represented them as a total of ~9,000 sf. Numbers above are back-calculated based on associated, proposed parking and equate to a slightly higher 11,500 square feet.</i>	<i>*Based on increase combined size, comprise second primary use.</i>
Special Events	Special Event Permit required when participant load is exceeded. Exhibit C.13.o	Same.

Hill Country Indoor Planned Development District Amendment

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Additional Notes/Commentary on Uses

Health Club/Gym related Uses: The applicant has described **these uses** as a core part of their business model with a target total membership of about 500. As a point of reference Gold's Gym is approximately 30,000 sf total, inclusive of locker rooms, admin, etc.

Party Room: Applicant has described this as flex space and provided some examples of how it may be utilized.

- 1) Teams can rent out day-of tournament to keep their bags, equipment
- 2) Teams can meet before/after practice and games for strategy.
- 3) For "accessory day care" e.g. a parent want to watch an older kid practice/play a game while not having to watch a younger sibling
- 4) For rental by gym patrons as perk of membership.
- 5) Available for rental for birthday parties by members of the facility.

One, two, and three (if limited to on-site facility users) are anticipated to have minimal impact on parking and traffic. Four does not provide enough information to analyze. Five is the most variable and inclined to generate additional impact not currently accounted for in parking and TIA calculations—especially on weekends, which will be peak time for tournaments. We recommend making five conditional until after the facility is operational and can provide evidence of sufficient capacity.

Outdoor Playscape: The PDD and approved site plan included an outdoor recreation and playscape area, which comprised a splash pad, seating benches, and playscape equipment with swings for kids. The applicant is requesting to remove this requirement as part of approved site plan and ongoing construction phase and desires to defer it to a "later phase;" for which staff is awaiting more details regarding timing and an interim design. For now, that area will be vegetated and used as a gathering place for HCI facility users/members with chairs and tables provided. Owner is evaluating an alternative playscape plan for the area. A site plan amendment with an updated layout will be submitted and such plan needs to be approved prior to 'Certificate of Occupancy' being issued for the primary building. This outdoor playscape facility is required to be constructed within two (2) years of issuance of first Temporary or Permanent Certificate of Occupancy.

Open Area/Lounge/Concessions: This area is described as a place for tournament attendees to wait between games. This is an operational shift from the assumptions used to draft the previous PDD, which integrated scheduling staggering based on participants leaving the facility between games of tournaments. See additional discussion on implications in Parking section.

PARTICIPANT LOAD	Approved/Under Construction	Proposed
General Description	<p>The approved PDD created a maximum “participant load” to capture all occupants of the facility at a given time, including but not limited to those using and arriving to use the fields (team, coaches, refs, etc.), gym/fitness area patrons, retail patrons, and staff. It was directly tied to proposed parking (including restriction of off-site parking to “special”, infrequent circumstances such as a <i>major</i> tournament) and the following assumptions: 1) substantial overlap between vehicles transporting to the site gym users and field users (e.g. a parent using the gym while the child is at practice) and 2) no spectators, except those arriving in the same vehicle respective the field user and 3) schedule staggering of fields to avoid a concentration of people arriving and leaving the facility at the same time.</p> <p>City shall have the authority to reduce the participant limit below 198, require additional on-site or off-site parking or take other appropriate action if the parking provided herein proves to be routinely insufficient.</p>	
Total Participant Load:	<p>198</p> <p><i>“except in unusual circumstances when minor increases in Project participation can only be accommodated by the overflow parking area.” (14-201. Ex C.4(a))</i></p>	<p>413 (2.8x increase)</p> <p><i>Language regarding infrequent increases remains the same.</i></p>
Operational Limitation:	<p><i>“Management of the Project shall include closely coordinated scheduling so that practices, games, tournaments and other events or activities conducted within the Project are scheduled at overlapping intervals allowing such events and activities to start and end at different times.” (14-201. Ex C.4(a))</i></p>	<p>Same.</p> <p>If the PDD amendment is approved, to ensure the participant load remains at 198 until the garage construction is completed, the applicant proposes to not open nor request a Certificate of Occupancy for any of the health club (including group exercise and weight spaces), rock climbing, indoor playscape, and party rooms uses in the interim.</p>
Future Modifications to Participant Load/Uses	Require PDD Amendment	The applicant has requested the ability to seek City approval to adjust the participant load and Certificate of Occupancy maximum—potentially at an administrative level—after the facility has opened if the data supports findings different than projections.

STRUCTURES	Approved/Under Construction	Proposed
Primary Building	All uses contained within one structure adjacent to Bee Cave Parkway. Entire building has an approximately ~85,000 sf footprint, but the structure is terraced into four attached, roughly equal sections. Each “quad” is approximately 47’ tall; the interior of the building varies between one and two stories; the westernmost quarter of the building contains underground/underbuilding parking.	Generally, same. Since site plan, staff is now aware the building contains a basement in which the batting cages are located.
Additional Buildings	The PDD limits additional structures to 25’ (Ord 14-201. Ex C.2(b).)	PDD proposes a new garage structure to be located south of the primary structure on southeast corner of site. Height: 47’; Stories: 4 Size: 30,000 sf footprint; and 322 spaces.
Mitigation	Terracing building along terrain.	Vines: Cover all sides of garage with all-season, drought, heat tolerant vines. Proposing creeping fig, which is used at Hotel San Jose in Austin and of which a picture is attached. Trees: The applicant has proposed five trees (all are ornamental) south of the garage. Staff requested to plant additional trees of appropriate species that will provide screening at maturity. We anticipate this matter will be addressed as part of site plan. Burying of Garage: The northeastern portion will be buried approximately 8 feet below natural grade. They have included perspective renderings in their submission.

TRAFFIC

Background/Approved

In 2014/2015, in association with their Site Plan application, the applicant prepared a Traffic Impact Analysis for a building of approximately 128,000 square feet (for a comprehensive background on the TIA, please see 'TIA Memo HCI Timeline 6.21.2017' attached.) The TIA identified impacts at three locations:

- **At Skaggs Drive.** It proposed:
 - a. A new eastbound, right turn lane on Bee Cave Parkway for cars turning onto Skaggs Drive.
 - b. Extension of an existing westbound, left turn lane on Bee Cave Parkway for cars turning onto Skaggs Drive.
- **RR 620 and Bee Cave Parkway.** Identified a decline in Level of Service from E to F and identified two potential solutions: 1) restripe lanes to create a second, eastbound, left turn lane and combine remaining lane to be a shared through-right turn lane OR 2) add a dedicated left turn lane to create dual left turns. Staff's analysis showed that option one increased delays for through traffic and had no appreciable impact on afternoon delay. Therefore, we recommended contributing a pro rata share option #2 or consideration of other proposal from applicant.

At the time, the applicant provided a cost estimate of \$126,605 for option 2, *excluding* ROW acquisition, utility relocation, surveying and engineering costs, and TCP (TxDOT Item 502, barricades and traffic handling.) The estimate also appeared to *exclude* widening the other side of the road to account for the realignment when dual left turns are introduced. Such paving improvements are estimated to increase the total cost by approximately \$20,000. The applicant did not respond to a request for an update. Based on the TIA's estimated trip contribution to the intersection, the pro rata share should be 33.2% of the final design/construction number.

- **Hamilton Pool Road/Hwy 71 and BCP.** Identified a decline in Level of Service from C to D and recognized a second, eastbound, left turn lane on Hwy 71 (to Bee Cave Parkway) is needed.

At the time, the applicant provided a cost estimate of \$113,935, *excluding* ROW acquisition, utility relocation, and a survey or contingency to cover items. The estimate also appeared to *exclude* widening the other side of the road to account for the realignment. The applicant did not respond to a request for an update. Based on the TIA's estimated trip contribution to the intersection, the pro rata share should be approximately 12.2% of the final design/construction number.

During the technical review and discussion at Council, there was a recognized mismatch between the scale of project studied in the TIA (~128,000 sf building with 616 cars entering/exiting the site in the afternoon peak) and the maximum participant load (198 users) allowed, which was tied to parking. In their motion, Council required 100% contribution to the improvements at Skaggs Dr, but relieved the applicant of contribution at Hwy 71 and RR 620. The motion also required the following note to be added in recognition of the participant load governing assumptions on future impacts and issuance of a certificate of occupancy:

In the event that the assumptions used in the Traffic Impact Analysis approved in conjunction with this site plan exceed or are in conflict with the parameters set forth in Ordinance 14-201, the requirements in ordinance 14-201 govern. The permitted uses may not be adjusted, nor the

participant load increased without an amendment to Ordinance 14-201. Participant load includes players, referees, coaches, and others involved in the conduct of games or practices, users of the batting cages and practice area, all on-site facility staff, users of all gym or fitness areas, including but not limited to a jogging track, health club, or weight room; and the staff and patrons of the retail space, including but not limited to all concession areas. Spectators are not included in the participant load count. However, consistent with the assumptions presented in the application for ordinance 14-201, they must arrive in the same vehicle as the participant. Pursuant to ordinance 14-201, Exhibit C Section 4(A), the “City shall have the authority to reduce the participant limit below 198, require additional on-site or off-site parking or take other appropriate action for the parking provided herein proves to be routinely insufficient to accommodate the parking needs of the project.”

The PDD requires an updated TIA at Site Plan. (Exhibit C(13(c))

Proposed	
Applicant Proposal	Staff Proposal
No update to TIA; no additional improvements proposed.	<p>In lieu of a conducting a complete TIA update as required in the PDD ordinance, staff suggests the applicant contribute the project’s pro rata share for intersection improvements at RR 620/Bee Cave Parkway and Hwy 71/BCP originally recommended in the 2015 TIA prepared by the applicant.</p> <p>Unlike in 2015 when the actual project impact was likely to be substantially less than the trip generation analyzed in the TIA (due to the parking-related building occupancy/participant load restrictions), the project proposed in 2017 is a much closer match to the TIA trip generation figures, increasing allowed participants from 198 to 413.</p> <p>The Comprehensive Plan process affirmed the importance of addressing traffic and requiring projects to contribute to system-wide improvements based on their respective impact. Allowing a project to be exempt from contributing the pro rata share identified in their TIA based on financial hardship is not recommended.</p> <p>At the 5/16/2017 P&Z meeting, the commission’s motion strongly recommended that Council reconsider the requirement for the applicant to contribute to the project’s pro rata share for intersection improvements. Should Council choose to do so, please know that the exact amount owed by developer is yet to be determined. We asked our TIA engineers to prepare a cost estimate for the intersection improvements, and they are attached as exhibits.</p> <p>To summarize, the applicant’s cost estimates are shown in green, the City’s in purple. It’s important to note that both estimates <i>exclude</i> necessary costs such as ROW acquisition, utility relocation, realignment costs, engineering and surveying costs, TCP (TxDOT Item 502, barricades & traffic handling), with the exception of the city’s estimate, which does include the cost for barricades and traffic handling.</p> <p><u>RR 620/Bee Cave Pkwy:</u> \$126,605 (\$170,796) x 33% = \$41,780 (\$56,362.68)</p> <p><u>Hwy 71/Bee Cave Pkwy:</u> \$113,935 (\$145,316) x 12% = \$13,672 (\$17,437.92)</p> <p>TOTAL: \$55,452 (\$73,800.60)</p>

	Staff acknowledges the construction of intersection improvements will not begin immediately but at a future date once the improvements at intersection locations are determined.
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PARKING	Approved/Under Construction	Proposed
Projected Demand	363	483*
Demand Assumptions	<ul style="list-style-type: none"> - No spectators (other than those that arrive with the participant) - Staggered scheduling to avoid concentrated arrivals/departures. - All non-field space was sized and operationally programmed as ancillary/supportive to the field use. To be targeted toward people arriving in the same vehicle as a field user (e.g. parents of children at practice; purchaser of apparel before a game). 	<p>* The applicant applied the assumptions used in the previous Ordinance to generate the projected demand for this PDD Amendment. Based on this, they are reporting a surplus of 16 on-site parking spots.</p> <p>However, due to the evolution of their operational structure and use distribution since 2014, staff has concerns about the assumptions' continued validity. For example, we understand the driving factor behind many of the new/expanded uses (e.g. party rooms/day care, rock climbing wall, larger lounge/concession area) is to compel people to remain on-site between tournament games. While this may prove to be positive for the business model, it negates the intended benefit of schedule staggering. Previously, they had attributed no parking to the 7,000 sf Open Space/Concession Area, but have recently proposed a ratio of 1:300. The PDD contains a development standard disallowing the Open Space/Concessions area to be converted to health club/gym/weight room/other use without a PDD amendment and/or update to parking. Also, with the health club's expansion in size and amenities, a larger percentage of the membership is likely to be independent of field users (and therefore arrive in separate cars). With this in mind, we urge more conservative assumptions to be applied—for example, assuming more than <i>none</i> of the players will have parents, grandparents or other spectators arriving in a second vehicle.</p>
On-Site Supply	264 total on-site spaces via a combination of 212 surface spots, 52 spots under ~ ¼ of	522 total on-site spaces via a combination of 148 surface spots, the same 52 spots

Hill Country Indoor Planned Development District Amendment

Transmittal Letter for 6/27/17 City Council Meeting

	the building.	under the building, and a new 322 space parking garage. The proposed layout removes a row of approximately 50 parking spaces between Bee Cave Parkway and the northern side of the building.
Off-Site Supply	75 off-site spaces on the City property (formerly 'Skaggs tract') west of Skaggs Dr. Shared parking, but only to be used by HCI for special events, only. HCI responsible for interim and permanent construction (mulch for 5 years from date of ordinance (~July 2019) or development of the City-owned property on which it's located, whichever occurs first, then concrete or asphalt built to City Code landscaping, lighting, and construction standards); Property owner (City) responsible for impervious cover.	Same
Routine Insufficiency	Ord 201 Exhibit C.4.(a) states "City shall have the authority to reduce the participant limit below 198, require additional on-site or off-site parking or take other appropriate action if the parking provided herein proves to be routinely insufficient to accommodate the parking needs of the Project."	With update to participant load number, language is proposed to remain the same. As staff expressed at the time, having this language may help our legal position in the event of a recurring issue, but will not ease the potential political impact of limiting a facility that's already in operation.
Additional Provisions	If parking is added or required beyond what is required herein for on-site and/or overflow parking, Developer may acquire rights to additional impervious cover that would allow for increased parking to be constructed within the Project boundaries, or acquire additional property by long-term lease or easement, or through a shared parking agreement with an adjoining owner(s), or through ownership of additional land. All additional off-site parking shall be located on property that is immediately adjacent to the Project property. For purposes of this section immediately adjacent shall mean land that is connected to the Project property lines and located south of Bee Cave Parkway. In addition, Developer may provide off-site parking via busing or shuttle service to and from the Project, provided that the parking provided for the vehicles of such patrons shall be located at least 1 mile	Remains the same, except for any additional development standards associated with the garage.

Hill Country Indoor Planned Development District Amendment

Transmittal Letter for 6/27/17 City Council Meeting

	from the Project so that pedestrians are not encouraged to walk along Bee Cave Parkway to access the Project. Parking on Bee Cave Parkway is prohibited.	
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IMPERVIOUS COVER/WATER QUALITY		
	Approved/Under Construction	Proposed
Impervious Cover	Up to 45% with rainwater harvesting and/or transfer of impervious cover from an “adjoining property that is otherwise developable according to City ordinances” at a 1:1 transfer ratio (Ord 14-201, Exhibit C(8)(a)(2)). The approved site plan was 44.9%/~168,202 sf of impervious cover. It included rainwater harvesting; No transfer of impervious cover was required.	Actual: 193,588 sf which is 51.7% of site area. Total Permitted: 53% of site area, which equals 198,836 sf. The total permitted request includes 40% allowed by Code, 5% allowed by implementation of rainwater harvesting, and a transfer of 30,000 sf of impervious cover from Reese tract (does not adjoin HCI tract, but located approximately 300’ to the southeast). City Code allows a ratio of 3:1 transfer of impervious cover from a different property located within City and zoned as non-residential. The applicant is requesting a 1:1 transfer from the Reese Tract. The applicant has provided a draft transfer of impervious cover deed restriction document to be recorded at Site Plan.
Water Quality	The under construction building and impervious cover is directed off-site to a water quality pond located on the Skaggs tract and a detention pond located on (recently purchased) City Property.	<p>Water Quality/Detention for the previously approved project will remain the same.</p> <p>For ~25,386 sf of new impervious cover (and up to 30,000 sf of impervious cover the applicant is ultimately requesting to transfer), they are proposing to treat the developed pollutant in a series of facilities. The design engineer communicated with staff that the treatment facilities will include a ‘Sedimentation/Filtration pond’ underneath the ramp in the first floor of the parking garage, a ‘Bio-filtration or Bio-retention pond’ just south of the parking garage, and an infiltration trench downslope of the Bio-retention pond. These facilities are subject to design details review once submitted, but altogether are expected to meet City’s requirement for pollutant removal.</p> <p>The detention pond will be located on the first floor within the parking garage. Their preliminary calculations indicate they will be able to slow developed stormwater flows to pre-development conditions to avoid needing a drainage easement on the adjacent property. This will be evaluated more thoroughly at site plan.</p>

Hill Country Indoor Planned Development District Amendment

Transmittal Letter for 6/27/17 City Council Meeting

		<p>Worthy of note, the property has land south of the parking garage which could provide sufficient space for a more traditional water quality and detention pond. The applicant has provided a conceptual back-up plan which delineates ponds in the available area on the south side of the garage.</p> <p>The development standards include an outright prohibition from this additional impervious cover ever being directed toward the off-site water quality pond on the Skaggs tract or detention pond on City owned property. The rationale is that these ponds were originally sized based on assumptions that all property that feeds them could be developed up to 40%. If one particular lot uses more than its assumed allocation, it infringes upon the other lot owners' available impervious cover.</p>
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TREE REMOVAL/LANDSCAPING		
	Approved/Under Construction	Proposed
Tree Preservation /Removal Statistics	<p>Code allows up to 40% of total tree caliper inches to be removed without replacement subject to a tree removal fee paid in lieu. Any caliper inches removal in excess than 40% must be replaced.</p> <p>The 2015 Site Plan proposed preservation of 60.01% of total caliper inches.</p>	<p>62 existing trees of total 452 caliper inches previously proposed for preservation are now to be removed in order to construct the new garage. Most of these trees are Live Oak with few Red Oak and some Cedar.</p> <p>New trees of 516 caliper inches must be added to the site to maintain the minimum 60% preservation requirement. To meet said requirement, the applicant proposes to plant 129 new trees of 4 caliper inches each, in addition to what was proposed as part of original approved site plan. However, they are proposing to plant mainly ornamental trees of the following species as mitigation: Texas Redbud; Yaupon Holly; Desert Willow; Possum haw Holly; Arizona Cypress; Mexican Sycamore and Texas Red Oak. Generally speaking, ornamental trees can aesthetically complement development sites; however, they do not provide sufficient screening nor do they serve some code requirements. Staff suggests planting a combination of canopy trees and ornamental trees. Staff requests you to provide guidance in this regard.</p>
Off-Site Mitigation	Section 32.05.002 (e) (4), of the Code allows, with Council approval, a portion	No off-site mitigation is proposed.

Hill Country Indoor Planned Development District Amendment

Transmittal Letter for 6/27/17 City Council Meeting

	<p>of tree preservation to be satisfied through preservation of trees off-site (via easement or similar conveyance). The previously approved PDD (Exhibit C(10)(b)) allowed for this on the Skaggs tract.</p>	<p>Staff has concerns about whether the site has sufficient space in different zones for the high # of additional trees (212), as it is critical to ensure sustainable growth. Staff asked the property owner whether they would be willing to plant a portion of total required trees within the roadway buffer zone (75' from property boundary) on the Home Plate tract (currently City Owned) along Bee Cave Pkwy, and they expressed willingness if allowed/requested. Staff requests your opinion and direction in this regard. If allowed, City will need to provide appropriate legal authorization document (easement or conveyance). This matter can be finalized as part of upcoming site plan.</p>
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PEDESTRIAN CONNECTIVITY		
	Approved/Under Construction	Proposed
General	<p>Exhibit C(13)(b) stated: <i>Sidewalks and trails shall be used throughout the Project and shall connect to trails constructed or proposed on adjoining property. Such amenities shall add impervious cover to the Project as described in the City's Code of Ordinances unless constructed with crushed granite. Such trails shall be constructed and maintained by Developer and be accessible to the public without charge. Location of the trail system for the Property shall be approved at Site Plan.</i> And (f): <i>"All open space and trails shall be privately maintained and not dedicated to the City but shall be open to the public at reasonable times."</i></p>	<p>Same.</p>
Inter-site Connectivity	<p>The Site Plan motion showed a conceptual connection to the Backyard along the southern property boundary, either located fully within the Hill Country Indoor property or a combination of within HCI and in the joint use access agreement. The motion allowed for the applicant to pay a fee in lieu in the event the connection "could not be accomplished" (~\$8,000—derived from Code's 30.04.004(c) Parkland Dedication fee in lieu of \$1,000/acre). The applicant paid</p>	<p>In conjunction with Site Plan approval the Project shall provide City with an easement for a 20 foot wide area (mutually agreeable area) that meanders through the property and connects the adjoining property on the east and west property lines to the Project for trail and pedestrian connectivity purposes. The easement agreement will provide that the City shall be entitled to construct, at its sole cost and expense within the twenty (20') foot area a ten (10') foot</p>

Hill Country Indoor Planned Development District Amendment

Transmittal Letter for 6/27/17 City Council Meeting

	the fee in lieu.	wide concrete trail and associated five (5') foot wide vegetative buffer area. Once constructed, the City shall cause the trail and improvements to be surveyed and the easement tract shall be reduced from twenty (20') feet in width to the actual width of the trail and associated improvements. The costs of maintenance and repair of the trail shall be the responsibility of the City. All other open space and trails, if any, located within the Project will be privately maintained by the Project, but may be dedicated to the City pursuant to a separate mutually acceptable written agreement between City and Owner or may be provided by public access easement. Trails and open space dedication or public access easements shall be considered by the City in conjunction with the Site Plan application for the Parking Garage.
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SETBACKS	
Approved/Under Construction	Proposed
<ul style="list-style-type: none"> ○ North/Front/Bee Cave Parkway Setback: 75' for structures. 35' for parking. ○ East: 25'. Driveways setback is 10'. ○ South: 25' ○ West: 25' 	<p>Proposed to remain the same.</p> <p>However, Section 32.05.006(h) requires a one foot increase in setback for each foot in building height over 25'. The garage is proposed at 47' and, at its nearest point, is 25' from the eastern property boundary. The adjacent neighbor is Backyard for which the closest building (office) is approximately 47' tall and sited approximately 50' feet from the shared property line. The garage is compliant with this requirement on other sides. The applicant is requesting waiver of this requirement and proposing to include vines on the garage in lieu.</p>

LIGHTING	Approved/Under Construction	Proposed
General	Will comply with Code.	Same. Reference to outdoor field is no longer relevant and to be removed.
Overflow Parking	Any lighting provided in the overflow parking areas shall be shielded, shall not be turned on except for events that occur requiring overflow parking and shall not exceed the total foot candle or	Same.

	<p>lumen requirements contained in the City Code of Ordinances.</p> <p>Recognized that temporary lighting may be utilized and may produce “hot spots” that exceed the Code of Ordinance requirements for small portions of the parking areas, but average lighting will be Code compliant.</p>	
Garage	N/A	<p>City Code does not have standards directly applicable to above-ground garages, which with their elevation above natural grade and ‘open walls’ <i>can</i> create unintended consequences for the City’s ‘dark skies’ objective. Much of this spillover can be ameliorated by specific parameters around installation of the fixtures—specifically, hanging them flush with the ceiling rather than dropped 2-3 feet below the ceiling. The applicant has provided a diagram to illustrate this, which is recommended to be incorporated as a development standard.</p> <p>The diagram indicates that light from the third floor will spread horizontally as far as 48’-10”. They are preparing an exhibit to demonstrate this will comply with rules on light trespass on the east side of the building.</p> <p>The rooftop lighting will be provided via low wattage bollards and wall packs. There is a corresponding development standard.</p>

NOISE	Approved	Proposed
General	Noise generated from activities within the Project shall not exceed eighty five (85) decibels at the Property line of the Project and any noise generated shall comply with the City’s noise ordinances as it may be amended from time to time. (Ord 201 Exhibit C.6)	Same
Outdoor Noise	Amplified sound outside of the Indoor Sports building shall be allowed via two (2) loud speakers located on the southern elevation of the building so long as the broadcasts do not exceed 65 decibels and the broadcasts are limited to no more than a couple of announcements per hour. Exact placement and screening of the loud speakers shall be approved by City staff. Loud speakers shall not be operated except between the hours of 7:00 am and 9:00 pm.	Same

Hill Country Indoor Planned Development District Amendment

Transmittal Letter for 6/27/17 City Council Meeting

HOURS OF OPERATION	
Approved	Proposed
5:00am – 12:00am 7 days/week	Same.

OPEN SPACE	
Approved	Proposed
Awaiting information on amount. Over the 20% requirement.	Awaiting information on amount. Presumed to be over the 20% requirement.

Staff Summary:

As you may recall, P&Z recommended denial for the Site Plan at the 2/17/2015 meeting specifically due to traffic concerns and the applicant's unwillingness to provide any contributions to highway improvements and/or escrow agreement funding. At the 3/24/2015 City Council meeting, the Site Plan was approved and Council's motion required 100% contribution to the improvements at Skaggs Dr, but relieved the applicant of pro rata contribution at Hwy 71 and RR 620 intersections. The audio recording from the 2015 City Council meeting is [provided](#) and includes the pro rata share deliberation. However, as a reminder, the primary objective of the proposed PDD Amendment is to increase the maximum participant load. The increased participant load from 198 to 413 (*2.8x increase*) heightens the need for intersection improvements as the project proposed is a much closer match to the TIA trip generation figures that trigger said improvements.

In regards to parking, during the original review of the preceding PDD application, parking was of paramount importance for staff given the size of the structures and nature of events to be held on site. Staff acknowledges that the applicant likewise recognizes the need for additional parking with the proposed addition of a parking garage.

Recommendation:

P&Z unanimously recommended approval of Ordinance No. 345 with the following conditions:

- 1) A recommendation that City Council reconsider the requirements that the applicant contribute the project's pro rata share for intersection improvements at RR 620/Bee Cave Parkway and Hwy 71/BCP originally recommended in the 2015 TIA prepared by the applicant. Improvement type(s), pro rata share, and cost estimate required to be determined and agreed upon by City at site plan stage. Staff concurs with this recommendation.
- 2) In regard to pedestrian connectivity, add a two-year time frame from the point of the first Certificate of Occupancy being issued, during which an easement for inter-site connectivity will be required. Staff concurs with this recommendation and the applicant has indicated their willingness to provide said easement.