



The Cherrywood Neighborhood is bounded by I-35, 38 ½ Street, Airport Boulevard, and Manor Road. It is a flourishing neighborhood of homes, businesses, and green spaces in Central Austin.

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February 20, 2023

Dear City of Austin leadership,

The Cherrywood Neighborhood Association (CNA) has participated in the engagement opportunities offered by the Texas Department of Transportation (TxDOT) on the Interstate-35 Capital Express Central Project (CapEx Project) for the last several years, including the latest feedback opportunity on the CapEx Project Preferred Alternative and Draft Environmental Impact Statement (DEIS). We have also repeatedly encouraged neighborhood residents and business owners to provide their personal feedback on the CapEx Project.

On February 8, 2023, the CNA Steering Committee approved this fifth letter regarding the CapEx Project. This letter amplifies points specific to the Cherrywood section that have been articulated in previous letters from December 2020, April 2021, September 2021, January 2022 and that were further explored in a Cherrywood Neighborhood Association General Meeting on February 15, 2023.

While Cherrywood residents remain positive about the planned removal of the upper decks, the design change to create an east-west, at-grade crossing at Wilshire Boulevard (noting strong desire for the City to mitigate potential cut-through traffic between I-35 and Airport Boulevard), and appreciate the somewhat limited engagement opportunities to date, CNA's priorities for further improvements can be summarized:

1. The section between Dean Keeton and Airport Boulevards is as vital to future Austinites as both the UT Austin section and the downtown section in terms of urban character and future development potential. The Cherrywood section deserves a similar level of creativity, innovation, and advocacy from the City.
2. CNA's fundamental concern with the Preferred Alternative is that TxDOT not preclude future capping/decking between Dean Keeton and Airport Boulevards, specifically a North Central Deck.
  - a. Review and modify design and construction of the vertical structure within this section as needed. This modification is also supported by NCINC.
  - b. CNA supports CM Vela's call for no design that precludes future capping/decking north of Airport Boulevard.
  - c. TxDOT has shown potential "deck-plazas" adjacent UT Austin and downtown – if these are explored as modifications to the Preferred Alternative, then so should the North Central Deck.
3. Reevaluate the need for and siting of two specific ramps in the Cherrywood section.

Before addressing the Preferred Alternative, we want to add our voice to those questioning the premise of expanding interstate highways, such as I-35, through major urban areas, such as Austin. A growing body of research demonstrates that urban highway expansions induce more driving and worsen congestion (as in Houston's Katy Freeway) which negatively impacts residents' health and well-being.

In addition, we echo the broader questions being asked by several organizations, including the North Central I-35 Neighborhood Coalition (NCINC), of which we are a founding member, about key assumptions in the DEIS used to justify the design as being flawed and self-serving. We note the traffic data in the DEIS does not seem to support a 50% increase in highway capacity, a fundamental assumption of the CapEx Project, and similarly question the growth-rate assumptions driving the modeling methodology and the approach to the Area of Influence for the CapEx Project as misleading, and lastly the conclusion there will be minimal to no increases in greenhouse gas emissions seems highly questionable.

Nonetheless, for pragmatic reasons, we will comment below on some of the details of the preferred alternative. We acknowledge the inclusion of sound walls in the Preferred Alternative and DEIS on the Cherrywood side of this section, and also some on the Hancock side. We will work to notify and ensure residents in these blocks understand and engage in the noise evaluation and mitigation process that TxDOT is legally obligated to pursue and we recognize their preferences have primacy. However, we believe sound walls are arguably antithetical to both visual and physical connectivity. These are important but not urgent conversations related to the DEIS: the refinement of sound walls can wait until after the major DEIS and Preferred Alternative design modification requests have been addressed.

We are working from the knowledge that additional, even significant refinements to the Preferred Alternative are still possible as the DEIS is being reviewed, finalized, and taken into the construction documents phase in Summer 2024. **We call on our representatives in City government to, at a minimum, advocate for modifying the Preferred Alternative to not preclude future capping of some, preferably all, of the section between Dean Keeton and Airport Boulevards.** This design modification would enable a North Central Deck concept and amplifies several NCINC action items. The main action steps needed to accurately estimate a cost for this design modification are:

1. Revise the structural design of the footings/foundation for the primary vertical supports.
2. Revise the structural design of the vertical supports.
3. If needed, ensure the stormwater drainage system is modified accordingly.

### **North Central Deck concept**

Although neighborhood leaders support the fundamental questioning of the project as expressed by NCINC and Reconnect Austin, we also have a pragmatic interest in a bold idea to improve the project in the section adjacent our neighborhoods that is based on the same design principles and necessary modifications as concepts already in the Preferred Alternative for "deck plazas" in the UT Austin section and downtown section.

The North Central Deck responds to the distinctly different context of current and future residential urban-core fabric in this section. Similar to the downtown enhancements, the North Central Deck would create significant reputational value for the City of Austin (and Austin District of TxDOT) such as the Klyde Warren Park project did for the City of Dallas. The North Central Deck would create an ideal opportunity for an additional critical east-west crossing at Concordia Ave., as called for by NCINC and many other community organizations.

CNA, along with other urban core neighborhood leaders, have drafted design principles for the North Central Deck (available at [www.cherrywood.org/I35capex](http://www.cherrywood.org/I35capex)) and are more than ready to discuss this concept with TxDOT and City of Austin staff and consultants.

### **Supportive design modifications**

There are several additional design alternatives that would enhance a deck-plaza design in this section:

Eliminate the northbound main lane exit ramp to E. 38 ½ Street. We recognize that the proposed alternatives replicate the existing conditions for exit ramps. But we insist that the exit ramp to Manor Road/Dean Keeton and the ramp to Wilshire Boulevard/Airport Boulevard provide sufficient future accessibility to Cherrywood, Hancock, and Mueller residents and businesses. Eliminating the exit ramp to 38 ½ Street appears to relieve the necessity for much of the right-of-way expansion in the Cherrywood section, enabling shorter and safer east-west connections. We see no justification for including a ramp in this location in the new designs, whether it relates either to balancing the number of I-35 main lanes or frequency of access ramps. We dispute the importance of this specific ramp for access to the Mueller redevelopment—a position that has been expressed by Mueller Neighborhood Association. If this ramp cannot be removed, the exit should be redesigned as a portal ramp.

Move the southbound managed lane exit ramp from E. 32nd Street to Dean Keeton Boulevard. Again, we understand that the proposed alternatives replicate the existing conditions for exit ramps. But we note the exit ramp from the managed lane to E. 32nd Street is not optimized for emergency vehicles or transit and does not seem to support City mobility goals. The E. 32nd Street bridge intersection will be signalized and appears still to have very tight geometry heading west from the intersection that will be inefficient for both emergency vehicles trying to access the St. David's ER (which will then be required to make a left turn across traffic to access the St. David's ER) and for transit, which will have to wait through the light cycle to continue to Dean Keeton Blvd (E. 32nd Street is not a designated transit corridor, little if any transit will be turning either east or west at this intersection).

Shifting this southbound managed lane exit to Dean Keeton allows for a protected right turn for emergency vehicles (which will then have two more right turns – and no left turns across traffic - to access the St. David's ER) and allows mass transit vehicles direct access to Dean Keeton, a major transit corridor. If this ramp cannot be moved, the exit should be redesigned as a portal ramp. **We request that these ramping modifications be included as a scenario in the traffic model and that the results be shared with the City of Austin Transportation staff and community stakeholders.**

Stitches at E. 38 ½ Street and E. 32nd Street bridges. As noted in the January 2022 CNA letter, and seeing no design evolution in the DEIS or Preferred Alternative, we believe stitch designs for the 38 ½ Street and E. 32nd Street bridges only add additional hardscaping. There is no indication from TxDOT as to how the stitches become functional amenities. **We discourage the City from allocating funding to stitches that have no human-centered design or active functionality. We encourage the City and TxDOT to explore using the funds earmarked for the stitches as a first step toward creating a full cap between E. 38 ½ Street and E. 32nd Street and a new pedestrian/bicycle crossing at Concordia Ave.**

We note that future development on the west side of I-35 in this section will very likely be multi-family and mixed-use mid-rises, similar to the recent construction at the intersection of E. 32nd and I-35. There will be hundreds, if not thousands, more residents in this area in the future who will benefit from a meaningful, functional cap or deck-plaza, physically and visually connecting east and west sides of the corridor.

Boulevard frontage road. We are enthusiastic about TxDOT's creativity with the boulevard frontage road alignment between Manor Road and Dean Keeton, as well as the slightly wider boulevard design in the downtown section between 5th and 7th Streets. We understand the TxDOT preference to build on solid ground when it is available, as through expanded right-of-way. However, we understand this to be a preference, not a requirement – clearly it is a viable configuration, as demonstrated in the downtown section. We believe the Cherrywood section deserves as much innovation and funding focus as the downtown section. **We echo the NCINC call to treat all frontage roads as part of a neighborhood street grid and employ appropriate urban design.**

New intersection design at E. 32nd Street. Again, the boulevard frontage road concept between Manor Road and Dean Keeton is exciting. **We encourage the City to work with TxDOT to replicate the Dean Keeton intersection/overpass design at the E. 32nd Street intersection.** We acknowledge this will require extending the boulevard frontage road design from the UT section north to the E. 32nd Street intersection. We see this is already intended to be a signalized intersection and suggest that vehicles seeking to access the northbound on-ramp just north of E. 32nd Street can utilize a dedicated lane at the intersection as is frequently done in other

cities. The frontage roads could then shift together to the west side in a boulevard design (or separate to either side on the north side of the intersection). The northbound-to-southbound turnaround can be eliminated and vehicles can simply go through the intersection signal cycle to make the turnaround. If separated frontage roads, the southbound-to-northbound turnaround could remain, albeit narrower (as shown in Alternative 1 in August 2021). This change would greatly reduce the right-of-way expansion needed between Dean Keeton and E. 32nd Street, reducing – perhaps eliminating – the negative impact on the People’s Community Clinic Center for Women’s Health and Prenatal Care and Stars Café.

### **Removal of billboards**

The Preferred Alternative and DEIS indicates removal of five billboards on the east side of I-35 and do not indicate new or relocated billboard easements. We trust the City will ensure the permanent retirement of these billboards and not allow them to be relocated to any other roadway within the City or its ETJ.

### **Business displacement**

Cherrywood residents are more concerned with existing business displacement than with negative impacts to their property values (see survey in September 2021 letter). The DEIS confirms the displacement of beloved neighborhood businesses on the frontage road, including Escuelita del Alma, Stars Café, and Taqueria Los Altos, as well as Dreamers, Le Rouge, Zebra Smoke Shop, the new Progress Coffee and others.

Regardless of personal opinions about the nature or purpose of any specific business, we note that these are primarily small, locally owned businesses with property owners, business owners, and employees who live in this community and contribute to the Austin economy. The CNA supports all of these businesses and their employees equally. Displacement is a deeply intertwined land use and social concern for our neighborhood. **We encourage the City to collaborate with CNA to ensure that business owners are fully aware of the TxDOT process for property acquisition and displacement options, and that a fair and transparent processes be utilized when dealing with all businesses that experience impact from the CapEx Project.**

### **Equity**

As stated in previous letters, CNA continues to support the work of People United for Mobility Access (PUMA), Our Future 35, and other organizations that continue to question the higher-level Purpose and Need statements for the CapEx Project. CNA believes the CapEx Project can and must be driven by positive community equity goals beyond mobility and we will continue to stand with and support groups that are focused on equity goals. We especially believe more attention needs to be demonstrated toward mitigating the equity impacts of the construction phase of the project.

Sincerely,

Cherrywood Neighborhood Association Steering Committee

cc: Councilmember Vela and Austin City Councilmembers  
 Congressman Lloyd Doggett  
 Congressman Greg Casar  
 Texas Senator Sarah Eckhardt  
 Texas Representative Sheryl Cole  
 Tucker Ferguson, Texas Department of Transportation  
 Tommy Abrego, Texas Department of Transportation  
 Lynda Rife, Rifeline Communications