

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET****NEIGHBORHOOD PLAN:** Central Austin Combined (CANPAC)**CASE#:** NPA-2022-0019.01.SH**DATE FILED:** February 28, 2022**PROJECT NAME:** Cady Lofts**PC DATE:** May 25, 2022  
May 10, 2022**ADDRESS/ES:** 1004, 1006, and 1008 E. 39<sup>th</sup> Street**DISTRICT AREA:** 9**SITE AREA:** 0.736 acres**OWNER/APPLICANT:** Cady Lofts, LLC**AGENT:** SGI Ventures, Inc. (Sally Gaskin)**CASE MANAGER:** Maureen Meredith**PHONE:** (512) 974-2695**STAFF EMAIL:** Maureen.Meredith@austintexas.gov**TYPE OF AMENDMENT:****Change in Future Land Use Designation****From:** Single Family and Mixed Use/Office **To:** Multifamily Residential**Base District Zoning Change****Related Zoning Case:** C14-2022-0019.SH**From:** SF-3-CO-NP & LO-MU-NP**To:** MF-6-NP**NEIGHBORHOOD PLAN ADOPTION DATE:** August 26, 2004**CITY COUNCIL DATE:** June 9, 2022**ACTION:****PLANNING COMMISSION RECOMMENDATION:****May 24, 2022 -**

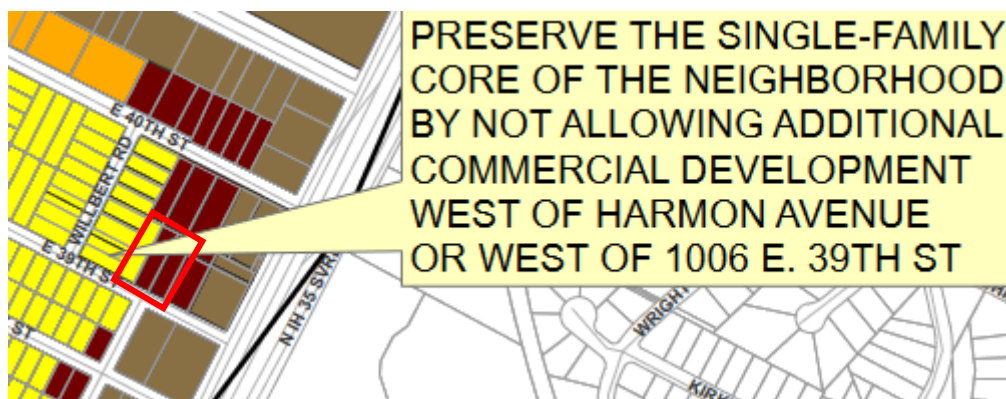
**May 10, 2022** – After postponement discussion the cases were postponed to May 25, 2022 at the request of the neighborhood. [J. Shieh – 1<sup>st</sup>; G. Cox – 2<sup>nd</sup>] Vote: 11-0-2 [C. Llanes Pulido and S. R. Praxis abstained].

**STAFF RECOMMENDATION:** To support the applicant's request for Multifamily Residential land use.

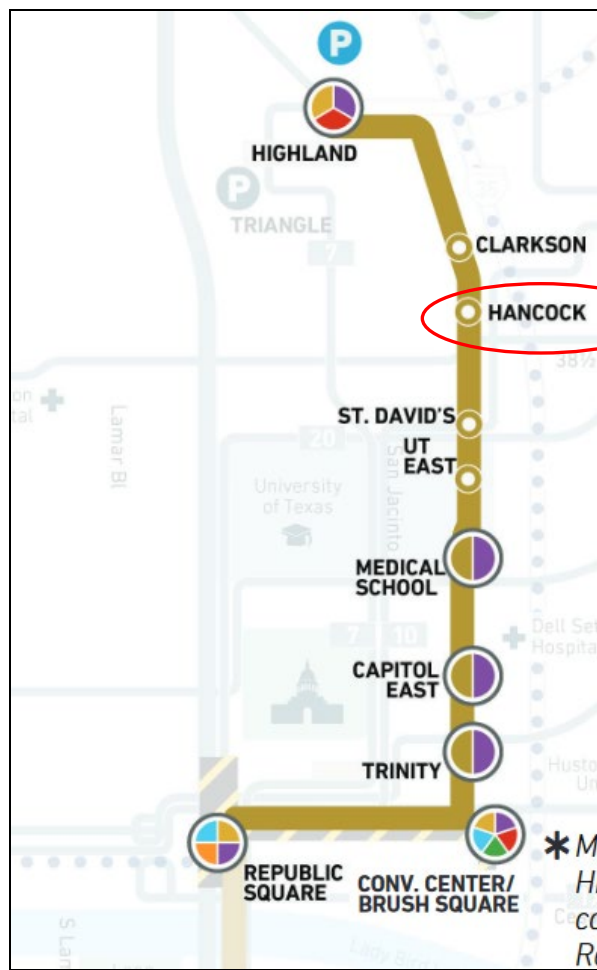
**BASIS FOR STAFF'S RECOMMENDATION:** The property is 0.736-acre tract comprised three lots with single family homes on 1004 and 1006 E. 39<sup>th</sup> Street and a vacant lot on 1008 E. 39<sup>th</sup> Street. To the north and east of the property is Mixed Use/Office land use with Mixed Use along the frontage road. To the south is Single Family and Mixed Use land use. To the west is Single Family land use. The applicant proposes to change the land use on the property from Single Family and Mixed Use/Office to Multifamily Residential land use to build a 100-unit multifamily supportive affordable housing project. The project is S.M.A.R.T. Housing Certified.

Staff supports the applicant's request of Multifamily Residential land use because it steps down the land use intensity from the Mixed Use and Mixed Use/Office to the east that is closest to the IH-35 frontage road and the single family uses to the west of the property. The request will provide much-needed affordable housing to the planning area and the city to help meet the goals of the Austin Strategic Housing Blueprint. The property is near the proposed Project Connect Gold Line and approximately ½-mile south of Airport Blvd, an Imagine Austin Activity Corridor, and approximately ½-mile south of Hancock Shopping Center with an HEB grocery store and other services. The property has access to multiple Capital Metro bus routes that provides public transportation options for the future residents.

There is a notation on the FLUM for this area that says:



The proposed FLUM change to Multifamily Residential for an affordable housing project is a residential use, not a commercial use.



### Proposed Project Connect Gold Line

The Central Austin Combined Neighborhood plan supports the preservation of single family neighborhoods. Of the three lots included in this request, one lot has Single Family land use and two lots have Mixed Use/Office land use. The proposed project will provide much-needed affordable housing options in an area rich with public transit options and within walking distance to services.

## Goal One

### Preserve the integrity and character of the single-family neighborhoods

**Objective 1.1:** Rezone property as needed to ensure that new development is compatible with the desired residential character of each neighborhood.

**Objective 1.3:** Promote quality multi-family redevelopment that is compatible with single-family neighborhoods and preserves neighborhood ambiance.

**Recommendation 5:** New multi-family development outside of West Campus should be compatible with surrounding historic single-family houses by using similar setbacks, roof forms, ridge heights, materials, and colors.

**Objective 1.4:** Limit new commercial and multi-family spread into the single-family core of the neighborhoods by establishing a perimeter of apartments, offices, and commercial uses

### **Hancock Neighborhood**

**Objective 1.11:** Preserve the traditional single-family land use in the Hancock Neighborhood.

Recommendation 25: Do not allow non-residential uses along IH-35 north of Concordia Avenue to spread farther into the neighborhood than Harmon Avenue and do not allow new non-residential development on the west side of Harmon Avenue.

## **LAND USE DESCRIPTIONS**

### ***EXISTING LAND USE ON THE PROPERTY***

**Single family** - Detached or two family residential uses at typical urban and/or suburban densities.

### **Purpose**

1. Preserve the land use pattern and future viability of existing neighborhoods;
2. Encourage new infill development that continues existing neighborhood patterns of development; and
3. Protect residential neighborhoods from incompatible business or industry and the loss of existing housing.

### **Application**

1. Existing single-family areas should generally be designated as single family to preserve established neighborhoods; and
2. May include small lot options (Cottage, Urban Home, Small Lot Single Family) and two-family residential options (Duplex, Secondary Apartment, Single Family Attached, Two-Family Residential) in areas considered appropriate for this type of infill development.

**Mixed Use/Office** - An area that is appropriate for a mix of residential and office uses.



**Purpose**

1. Accommodate mixed use development in areas that are not appropriate for general commercial development; and
2. Provide a transition from residential use to non-residential or mixed use.

**Application**

1. Appropriate for areas such as minor corridors or local streets adjacent to commercial areas;
2. May be used to encourage commercial uses to transition to residential use; and
3. Provide limited opportunities for live/work residential in urban areas.

***PROPOSED LAND USE ON THE PROPERTY***

**Multifamily Residential** - Higher-density housing with 3 or more units on one lot.

**Purpose**

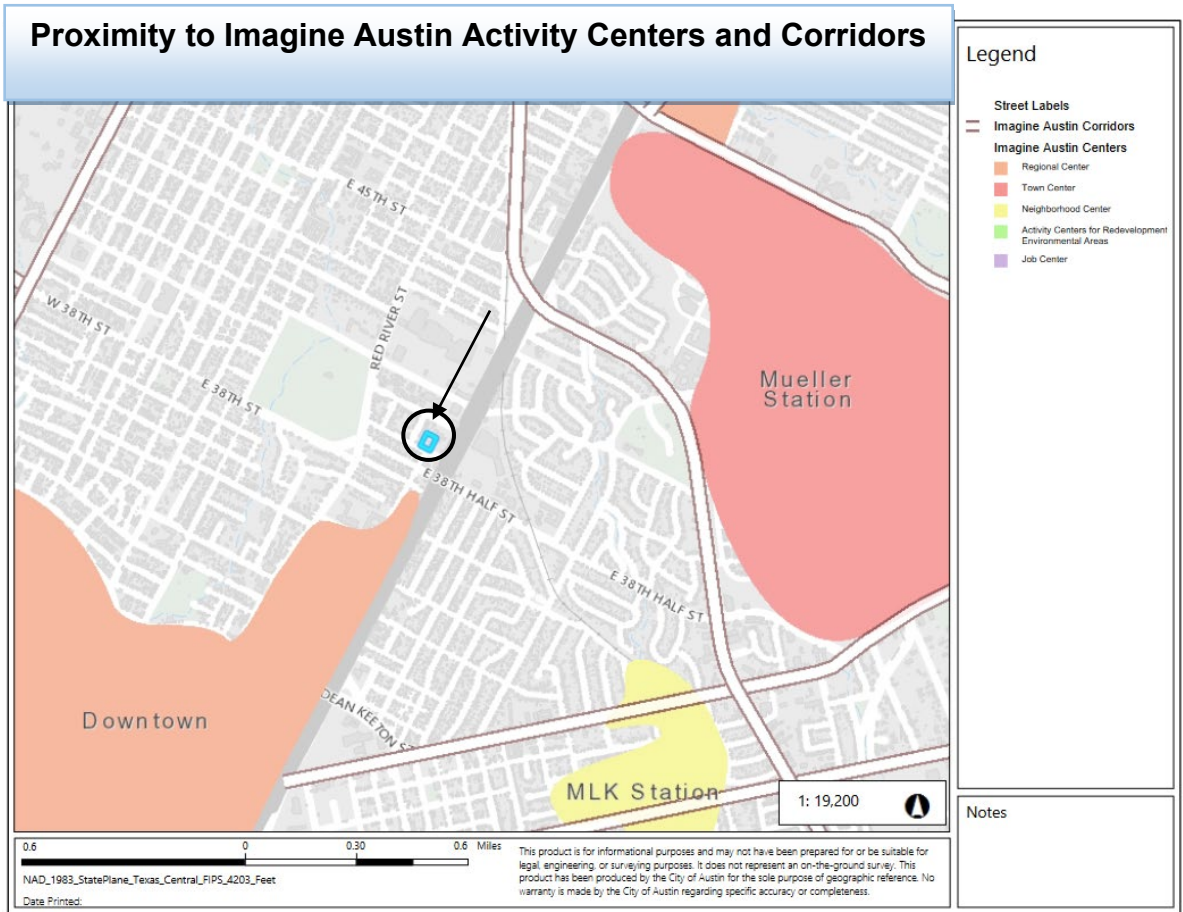
1. Preserve existing multifamily and affordable housing;
2. Maintain and create affordable, safe, and well-managed rental housing; and
3. Make it possible for existing residents, both homeowners and renters, to continue to live in their neighborhoods.
4. Applied to existing or proposed mobile home parks.

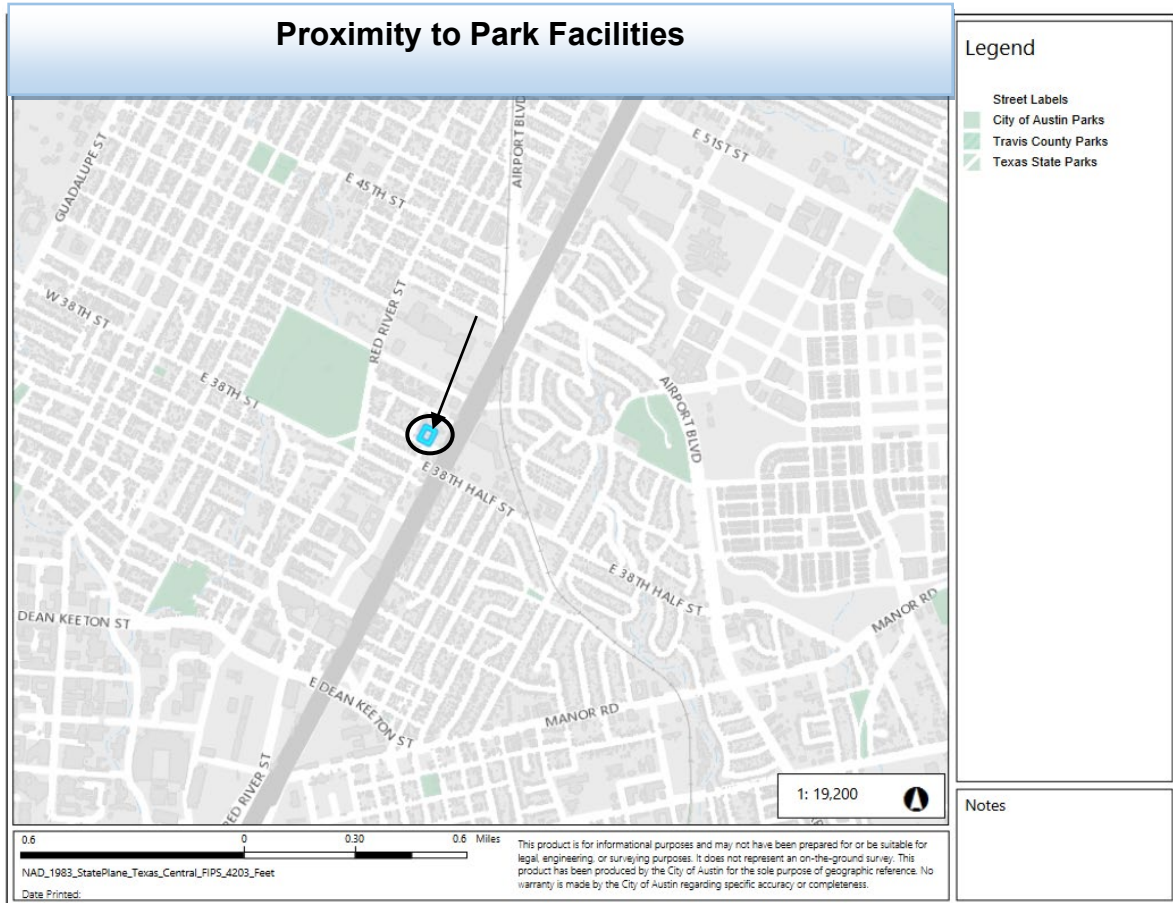
**Application**

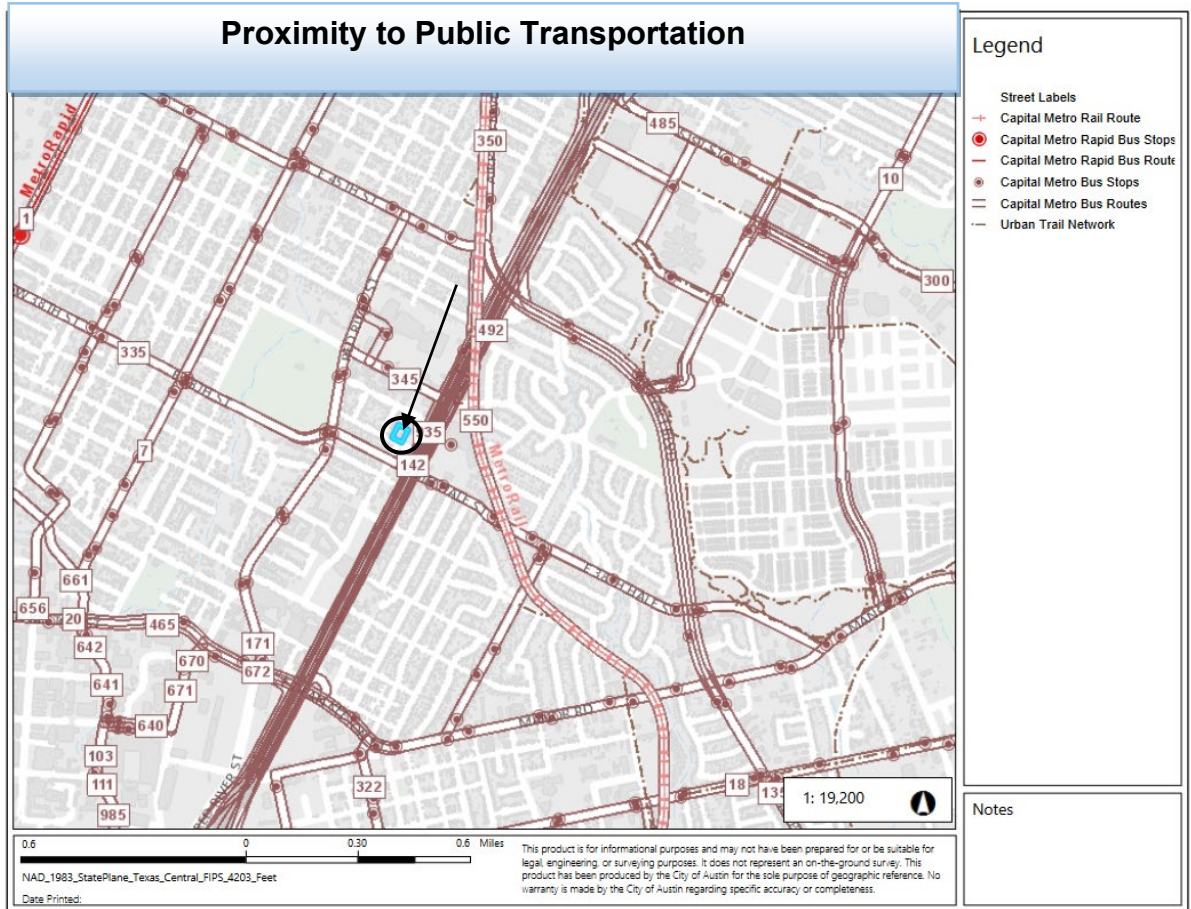
1. Existing apartments should be designated as multifamily unless designated as mixed use;
2. Existing multifamily-zoned land should not be recommended for a less intense land use category, unless based on sound planning principles; and
3. Changing other land uses to multifamily should be encouraged on a case-by-case basis.

Yes	Imagine Austin Decision Guidelines
	Compact and Connected Measures
Yes	<p><b>Imagine Austin Growth Concept Map:</b> Located close to, within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified on the Growth Concept Map.</p> <p><b>Name(s) of Activity Center/Activity Corridor/Job Center:</b></p> <ul style="list-style-type: none"> <li>• ½-mile south of Airport Blvd an activity corridor</li> <li>• 1.25 miles east of the Guadalupe Ave activity corridor</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Approx. .25 miles north of the Downtown Regional Center</i></li> <li>• <i>Approx. one mile West of the Mueller Station Town Center</i></li> </ul>
Yes	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station.
Yes	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> <li>• <i>There are no sidewalks or bike lanes on this section of E. 39<sup>th</sup> Street but the property is directly north of E. 38 ½ Street where there is a priority bike lane.</i></li> </ul>
Yes	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
Yes	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
Yes	<b>Connectivity and Education:</b> Is located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> <li>• <i>Across the street from the property to the south is Stepping Stone School at Mueller/UT to the north is Stepping Stone School – Hyde Park</i></li> <li>• <i>Less than ½-mile south of the property on Red River is Upbring School of Arts and Science</i></li> </ul>
Yes	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreational area, park and/or walking trail.
Yes	<b>Connectivity and Health:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, specialized outpatient care.) <ul style="list-style-type: none"> <li>• <i>St. David's Medical center is approximately ½-mile south</i></li> </ul>
Yes	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable house.
Yes	<b>Housing Choice:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint. <ul style="list-style-type: none"> <li>• <i>Proposed is 100 studio affordable multifamily housing units.</i></li> </ul>
	<b>Mixed Use:</b> Provides mixed use development (minimum 10% residential and 10% non-residential floor area).
Yes	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
11	<b>Total Number of "Yes's"</b>
<b>Imagine Austin Priority Program Bonus Features (Extra Points)</b>	
	<b>Small Area Plan Policies:</b> Supports applicable Small Area Plans, including the Future Land Use Map, goals, objectives, actions and text. List three small area plan policies that relate to this project. <b>Name of Small Area Plan: Central Austin Combined</b> <ul style="list-style-type: none"> <li>• <i>The plan supports preserving single family, however, the City need affordable housing options. This project in this location meets 11 of the 12 Compact and Connected Imagine Austin Goals</i></li> </ul>
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Culture and Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially an industry that is currently not represented in particular area or that promotes a new technology.
	<b>Workforce Development, the Economy and Education:</b> Promotes educational opportunities or workforce development training.
<b>Imagine Austin Priority Program PUD Specific Bonus Features (Extra Points)</b>	
	<b>Public Space Features and Public Art:</b> Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
	<b>Integrates and/or Expands Green Infrastructure:</b> Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
	<b>Protects the Environment:</b> Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
	<b>Protects Environmentally Sensitive Lands:</b> Protects Austin's natural resources and environmental systems by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources in excess of ordinance requirements.
	<b>Water/Waste Water Infrastructure:</b> Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques in excess of ordinance requirements.
	<b>Total Number of "Yes's" Under Bonus Features</b>

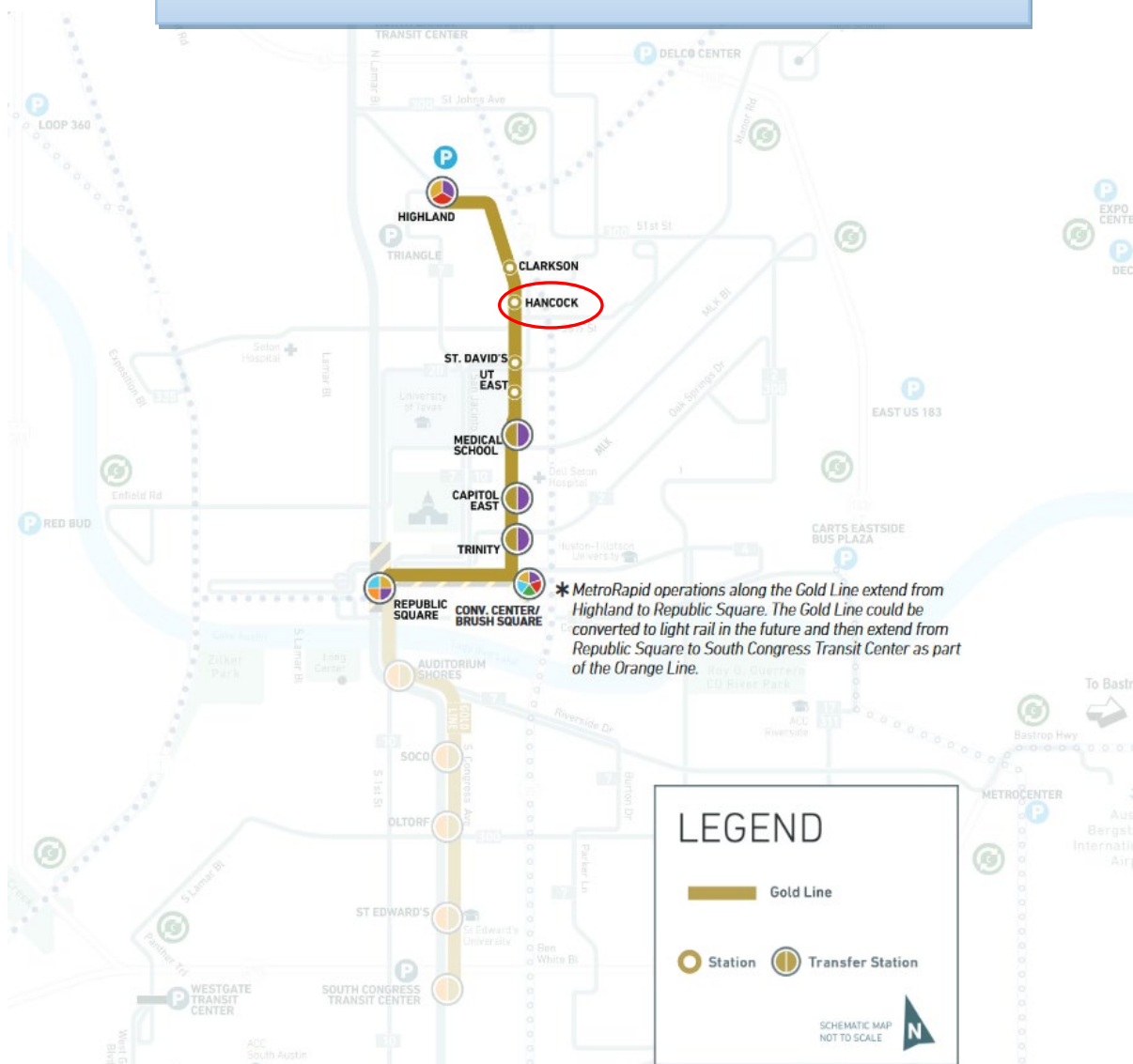








## Proposed Capital Metro Gold Line



### IMAGINE AUSTIN GROWTH CONCEPT MAP

#### *Definitions*

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional

or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

**Town Centers** - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

**Regional Centers** - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

**Activity Centers for Redevelopment in Sensitive Environmental Areas** - 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.

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also 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. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** The application was filed on February 28, 2022 which is in-cycle for neighborhood planning areas located on the west side of I.H.-35, however, the project is S.M.A.R.T. Housing certified which would have allowed the applications to be filed outside of the February open filing period.

The applicant proposes to amend the future land use map (FLUM) from Single Family and Mixed Use/Office to Multifamily Residential land use.

The applicant proposes to change the zoning on the property from SF-3-CO-NP (Family Residence district – Conditional Overlay combining district - Neighborhood Plan combining district to MF-6-NP (Multifamily Highest Density district – Neighborhood Plan combining district) for a 100-unit multifamily supportive affordable housing development. For more information on the proposed zoning, see case report C14-2022-0019.SH.

**PUBLIC MEETINGS:** The ordinance-required community meeting was virtually held on April 7, 2022. The recorded meeting can be found at <https://www.speakupaustin.org/npa>. Approximately 284 meeting notices were mailed to people who rent or own property within 500 feet of the subject tracts, in addition to neighborhood and environmental groups who requested notification for the area. Two city staff members attended the meeting, Maureen Meredith and Mark Walters. Three people representing the case were in attendance, Megan Lasch, O-SDA Industries, LLC; Abby Penner, Saigebrook Development | O-SDA Industries; and Sally Gaskin, SGI Ventures, Inc. Also in attendance were 22 people from the neighborhood.

After staff gave a brief presentation, Megan Lasch made the following comments then the meeting was opened to Q & A:

**Note: The full presentation is in the report.**



- Austin Affordable Housing Corp. (AAHC) is the non-profit affiliate of HACA. They are the general partner and co-developer.
- SGI is the co-developer and guarantor.
- Saigebrook and O-SDA are development team consultants.
- New Hope Housing is a non-profit with more than 25 years' serving permanent supportive housing residents.
- The property will have on-site management.
- Proposed is 100 studio units, approximately 451 sq. ft. in size.
- 100% will be continuing care units, which is big goal for the City of Austin.
- Proposed maximum height is 45.5 feet.
- Entry would be off E. 39<sup>th</sup> Street and the property is fully enclosed. It will be gated and have a secured perimeter.
- We own the property. The affordability will run for 45 years. We are committed to making sure it's a well-run property.

***Q: Is the empty lot part of the proposed change?***

A: Yes, the vacant lot next to the parking lot on the eastern most boundary that does not have a house on it is part of the application.

***Q: What does long-term affordability actually mean for the property? How many years?***

A: There are several layers. For Affordability Unlocked, I believe it's 40 years. On top of that through Tax Credit Programs that we're using for financing, there is a 45-year affordability. S.M.A.R.T. Housing also has a length of time associated with the affordability, but it's much shorter than either of those.

***Q: If this project does not get its tax credit, is there any guarantee from the city that the normal MF-6 would not be conveyed to a future owner?***

A: Zoning runs with the property in perpetuity until it's changed. If the zoning were to be granted and for whatever reason they didn't get their funding this would be an MF-6-zoned property with whatever conditions and restrictions that were granted, and the new owner could develop the property based on what was approved by City Council. We are willing to put a conditional overlay for maximum 45.5 feet in height, rounded up to 46 feet in height. But with Affordability Unlocked, compatibility standards are waived, but the compatibility standards would apply to the property if it were developed as a straight MF-6 zoning.

***Q: Do you know the maximum height on the property without Affordability Unlocked?***

A: With compatibility you are able to go 30 feet or two stories with a 25-foot set back from the single family.

***Q: I didn't see anywhere in the Affordability Unlocked ordinance that allows a bypass of normal zoning change procedure?***

A: By adhering to the requirements of Affordability Unlocked you're given development bonuses above and beyond what your base zoning will allow.

***Q: Does the design plans include a community kitchen laundry etc.?***

A: It does have a community warming kitchen. There will be community laundry on every floor, so every floor will have laundry facilities. Each of the units will have a refrigerator, stove, and a microwave. There will be a full kitchen where people can cook for themselves. It's independent living.

***Q: Why was this combination of lots chosen?***

A: We chose this location because it's close-in. It is in a Census Tract that is prioritized in the 9% program because it lacks affordable housing. It is close to public transportation and it's within walking distance to amenities.

***Q: Looking at your chart, the differences between what could be done through Affordability Unlocked and the proposed design seemed fairly minor. Why couldn't you just adjust your design?***

A: It has to do with the number of units that we're trying to accomplish in the project budget. If Aria Grande had been built under Affordability Unlocked, we could have built 100 units, instead we built 70 units under the zoning constraints that we had. Affordability Unlocked was not in place at that time. It takes as much effort to build a 70-unit development than it does a 100-unit development from an effort and time perspective.

***Q: How might this property be affected by the expansion of the Interstate?***

A: There are several design options out from TXDOT. I'm currently not aware of this particular property being affected by those designs.

***Q: What negative impacts might the community see if we fail to build affordable housing? Most of these questions are focused on the impact of the lofts, but I would like to know more about the impact of not building?***

A: The more affordable housing that we build, we are able to help offset some of the increase housing prices that we're seeing, whether it's supportive housing or workforce housing. You end up with people on the street because they can't find affordable housing.

***Q: There are numerous other places within Hancock that would provide better impact to both the community and the affordable housing costs. I assume you purchased this land because it was for sale.***

A: First you need to have a willing seller, then you have to find somebody that will work with us from a timing perspective and who's willing to meet with us from a pricing perspective and that meets the State guidelines. We need to find a property that can qualify for the financing. There are layers upon layers of guidelines. Without the ability to leverage these funding sources that makes the property affordable, it is not possible to build.

***Q: What are your thoughts on the note in the FLUM that specifically instructs preserving single-family zoning west of Harmon Avenue and west of 1006 E 39<sup>th</sup> St?***



years these developments could use some infusion of money for modifications. Ownership could change, but our partners the Austin Housing Authority and Austin Affordable Housing Corporation are tried and true longer-term owners and will likely remain in their portfolio for a long time.

***Q: How do you expect to service the property with trash pick up and deliveries with one ingress/egress?***

A: I think a single point of entry is really common for multifamily developments of this size and type. We have the trash pickup in an area accessible for waste management. Depending on the development, we have done valet trash services.

***Q: Have you been in contact with the CANPAC NPCT?***

A: Yes, we have been in contact with the Hancock Neighborhood Association and the CANPACT NPCT. I'm happy to pass that information along. We contacted the immediate neighborhood in January and we've had three meetings already, not including this one. I'm happy to have more meetings.

**Comments from the meeting:**

- There are numerous other places within Hancock that would provide better impact to both the community and the Affordable Housing cause. For example, the City could acquire land at Hancock Center, just two blocks away.
- For the record, the neighborhood first heard about this development in January and we posted the information the Hancock email listserv on January 30th (67 days ago).

## S.M.A.R.T. Housing Certification Letter



### City of Austin

P.O. Box 1088, Austin, TX 78767  
[www.austintexas.gov/department/housing-and-planning](http://www.austintexas.gov/department/housing-and-planning)

#### **Housing and Planning Department** **S.M.A.R.T. Housing Program**

February 10, 2022

**S.M.A.R.T. Housing Certification**  
**SGI Ventures, Inc.**  
 1004-1008 E. 39<sup>th</sup> St., Austin TX 78751 (ID 774)

**TO WHOM IT MAY CONCERN:**

SGI Ventures, Inc. (development contact Sally Gaskin; ph: 713-882-3233; email: [sally@sgiventures.net](mailto:sally@sgiventures.net)) is planning to develop Cady Lofts, a 102-unit rental development at 1004-1008 E. 39<sup>th</sup> St.

102 of the units will be leased to households at or below 80% Median Family Income (MFI). The project will be subject to a minimum 5-year affordability period after issuance of a certificate of occupancy, unless funding requirements are longer.

This development is seeking a zoning change from SF-3-CO-NP to MF4. The applicant has submitted evidence of contacting the Hancock Neighborhood Association and Hyde Park Neighborhood Plan Contact Team advising them of their project. The applicant has indicated they will address any legitimate concerns of the neighborhood residents.

The Housing and Planning Department (HPD) certifies the proposed project meets the S.M.A.R.T. Housing standards at the pre-submittal stage. Since 21% (21) of the units will serve households at or below 30% MFI, 41% (42) of the units will serve households at or below 50% MFI, and 38% (39) of the units will serve households at or below 60% MFI, the development will be eligible for 100% waiver of fees listed in Land Development Code, Chapter 25-1-704, as amended or other fees waived under a separate ordinance except for Austin Water Utility (AWU) Capital Recovery Fees. This development is fully in accordance with the requirements under the Texas Local Government Code, Chapter 395.16(g) and 42 U.S.C. Section 12745 (A)(1) as it relates to how housing qualifies as affordable housing and therefore 100% of the units will be eligible to receive Austin Water Utility Capital Recovery Fee (CRF) waivers. The expected fee waivers include, but are not limited to, the following fees:

AWU Capital Recovery Fees	Concrete Permit	Mechanical Permit
Building Permit	Electrical Permit	Plumbing Permit
Site Plan Review	Subdivision Plan Review	Zoning Verification
Construction Inspection	Parkland Dedication Fee	Land Status Determination
Demolition Permit Fee	(by separate ordinance)	Building Plan Review
	Regular Zoning Fee	

Prior to issuance of building permits and starting construction, the developer must:

- ♦ Obtain a signed Conditional Approval from the Austin Energy Green Building Program stating that the plans and specifications for the proposed development meet the criteria for a Green Building Rating. (Contact Austin Energy Green Building: 512-482-5300 or [greenbuilding@austinenenergy.com](mailto:greenbuilding@austinenenergy.com)).
- ♦ Submit plans demonstrating compliance with the required accessibility or visitability standards.

Before a Certificate of Occupancy will be granted, the development must:

- ♦ Pass a final inspection and obtain a signed Final Approval from the Green Building Program. (Separate from any other inspections required by the City of Austin or Austin Energy).
- ♦ Pass a final inspection to certify that the required accessibility or visitability standards have been met.
- ♦ An administrative hold will be placed on the building permit, until the following items have been completed: 1) the number of affordable units have been finalized and evidenced through a sealed letter from project architect and/or engineer, 2) a Restrictive Covenant stating the affordability requirements and terms has been filed for record at the Travis County Clerk Office.

The applicant must demonstrate compliance with S.M.A.R.T. Housing standards after the certificate of occupancy has been issued or repay the City of Austin, in full, the fees waived for this S.M.A.R.T. Housing certification.

Please contact me by phone 512.974.2108 or by email at [alex.radtke@austintexas.gov](mailto:alex.radtke@austintexas.gov) if you need additional information.

Sincerely,



Alex Radtke, Project Coordinator  
Housing and Planning Department

Cc: Kristin Martinez, AE

Jonathan Orenstein, AWU

Mashell Smith, ORS

## Applicant Summary Letter from Application

City of Austin Application Packet for Neighborhood Plan Amendment  
For Neighborhood Plan Contact Team

Page 13 of 14

---

---

### Neighborhood Plan Amendment SUMMARY LETTER

This request to change one lot from Single Family FLUM designation to either a Mixed-Use designation and two lots from Mixed-Use Office designation to Mixed Use FLUM. This site is being submitted to TDHCA for the 2022 9% Housing Tax Credit cycle, the three lots being submitted at 1004, 1006, and 1008 E. 39th Street. 1006 and 1008 are both zoned LO-MU and show FLUM designation for Mixed-Use/Office, the third lot that is under contract for this project is 1004 E 39th Street which is currently zoned SF-3 and has a FLUM designation for Single Family. Our request is to change the neighborhood plan to show all three lots as Mixed Use to allow for the development of 100 permanent supportive housing units for Austin residents. This project has already applied to utilize Affordability Unlocked and has been preliminarily approved as a Type 2 project.

---

---

---

---

---

---

---

---



**Letter of Recommendation from the CANPAC  
Neighborhood Plan Contact Team (NPCT)**

(No letter as of May 18, 2022)

.....

**From:** Adam Stephens  
**Sent:** Wednesday, May 18, 2022 11:07 AM  
**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Bart Whatley <>; Mary Ingle <>; Betsy Greenberg <>  
**Cc:** Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Harden, Joi <Joi.Harden@austintexas.gov>; Coan Dillahunty <>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>  
**Subject:** RE: CANPAC NPCT Rec? - NPA- 2022-0019.01.SH\_Cady Lofts

\*\*\* External Email - Exercise Caution \*\*\*

We do not have a letter of recommendation yet. We are having a meeting Sunday evening and will prepare a statement.

.....

**From:** Meredith, Maureen  
**Sent:** Tuesday, May 17, 2022 4:12 PM  
**To:** Adam Stephens <>; Bart Whatley <>; Mary Ingle <casamia22@att.net>; Betsy Greenberg <>  
**Cc:** Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Harden, Joi <Joi.Harden@austintexas.gov>; Coan Dillahunty <>; Rivera, Andrew <Andrew.Rivera@austintexas.gov>  
**Subject:** CANPAC NPCT Rec? - NPA- 2022-0019.01.SH\_Cady Lofts  
**Importance:** High

Adam:

Does CANPAC NPCT have a letter of recommendation you want staff to add to our staff reports for the May 24 PC hearing? Our reports are due today at 4:30 pm. We might be able to add it early tomorrow morning if you are unable to submit by today's deadline.

Maureen

.....

**From:** Meredith, Maureen  
**Sent:** Monday, April 11, 2022 3:59 PM  
**To:** adam.stephens@[REDACTED]; bart.whatley@[REDACTED];  
mclvinx@[REDACTED]; betsy.greenberg@[REDACTED]; casamia22@[REDACTED];  
davidkane@[REDACTED]; lindabethteam@[REDACTED]; fincap2@[REDACTED];  
marysanger70@[REDACTED]; mademanifest@[REDACTED];  
lynnmarshall@[REDACTED]; rs01@[REDACTED]; krichichi@[REDACTED];  
a.jarry@[REDACTED]; jfoxworth@[REDACTED]; wwukasch@[REDACTED];



rylan@[REDACTED]

**Cc:** Megan Lasch <>; Sally Gaskin <>; Abby Penner <>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>

**Subject:** CANPAC Rec Ltr: NPA-2022-0019.01.SH\_Cady Lofts

**Importance:** High

Dear CANPAC NPCT:

The **NPA-2022-0019.01.SH** and **C14-2022-0019.SH** are scheduled for the **May 10, 2022 Planning Commission hearing date**. If your team would like your letter of recommendation added to the staff case reports, please email it to me and Sherri Sirwaitis no later than **Tuesday, May 3, 2022 by 4:30 pm**. If we get the letter after that date and time, we will submit it as late back-up.

Thanks.

Maureen

**CANPCT NPCT and Hancock Neigh. Association  
Postponement Request to June 14, 2022**

**From:** Adam Stephens

**Sent:** Tuesday, May 3, 2022 4:17 PM

**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Bart Whatley; Mary Ingle; Betsy Greenberg

**Cc:** Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Harden, Joi <Joi.Harden@austintexas.gov>; Coan Dillahunty Rivera, Andrew <Andrew.Rivera@austintexas.gov>

**Subject:** RE: NPA - 2022-0019.01

\*\*\* External Email - Exercise Caution \*\*\*

HNA (Coin Dillahunty) and CANPAC agree on a request for a postponement to 6/14.

This is the final postponement request from the neighborhood association and CANPAC, our earlier requests can be disregarded. Sorry for any confusion, Adam

**Letters from the Hancock Neighborhood Assoc.**

**From:** Coan Dillahunt

**Sent:** Tuesday, May 17, 2022 4:10 PM

**To:** Truelove, Rosie <Rosie.Truelove@austintexas.gov>

**Cc:** Rusthoven, Jerry <Jerry.Rusthoven@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Bart Whatley < Bruce H. Fairchild < >; Laura T. <lautul1995@ >; Jen Dillahunt < >; Victoria Carpenter Holmes < >

**Subject:** Re: Hancock Neighborhood Association's objecting to Recommendations Made by City Staff and Citing the Immediate Need for Further Expert Review of Effect of Homeless Housing Project on the Immediate Neighborhood from 100 units of 451 s.f. each proposed ...

\*\*\* External Email - Exercise Caution \*\*\*

My apologies, one small correction, please use the updated version below. HNA is not planning to retain a law firm--a group of concerned neighbors is retaining the law firm and made that clear below.

Coan

On Tue, May 17, 2022 at 4:29 PM Coan Dillahunt < > wrote:

Date: May 17, 2022

To: Rosie Truelove – Director of Housing & Planning – via email

at: [Rosie.Truelove@austintexas.gov](mailto:Rosie.Truelove@austintexas.gov)

cc: Jerry Rusthoven – Housing and Planning Department – via email

at: [Jerry.Rusthoven@austintexas.gov](mailto:Jerry.Rusthoven@austintexas.gov)

cc: Maureen Meredith – Senior Planner Inclusive Planning Division – via email

at: [Maureen.Meredith@austintexas.gov](mailto:Maureen.Meredith@austintexas.gov)

cc: Sherri Sirwaitis – Austin Zoning – via email at: [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)

From: Hancock Neighborhood Association

**RE: Hancock Neighborhood Association's objecting to Recommendations Made by City Staff and Citing the Immediate Need for Further Expert Review of Effect of Homeless Housing Project on the Immediate Neighborhood from 100 units of 451 s.f. each proposed for 1004, 1006, 1008 E. 39th St., Austin, TX 78751 with case numbers as follows: NP-04-0021**

## HANCOCK NEIGHBORHOOD ASSOCIATION'S ("HNA") OPPOSITION

**TO CITY STAFF RECOMMENDATION TO APPROVE NEIGHBORHOOD PLAN  
AMENDMENT AND ZONING CHANGE FOR THE PURPOSE OF PERMITTING A  
HOMELESS HOUSING PROJECT IN HANCOCK NEIGHBORHOOD**

**Below is HNA's Review Sheet Objecting to Recommendations Made by City Staff and  
Citing the Immediate Need for Further Expert Review of Effect of Homeless Housing  
Project on the Immediate Neighborhood**

**Below is HNA's Request for Postponement of Planning Commission Hearing of this  
Matter for the Reasons Stated Herein**

---

**NEIGHBORHOOD PLAN:** Central Austin Combined (CANPAC)

**CASE#:** [NPA-2022-0019.01.SH](#)

**PROJECT NAME:** Cady Lofts

**ADDRESS/ES:** 1004, 1006, and 1008 E. 39<sup>th</sup> Street

**DISTRICT AREA:** 9 **SITE AREA:** 0.736A

**OWNER/APPLICANT:** Cady Lofts, LLC

**CASE MANAGER:** Maureen Meredith

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Single Family and Mixed Use/Office **To:** Multifamily Residential

**Base District Zoning Change**

**Related Zoning Case:** C14-2022-0019.SH

**From:** SF-3-CO-NP & LO-MU-NP **To:** MF-6-NP

**NEIGHBORHOOD PLAN ADOPTION DATE:** August 26, 2004

**CITY COUNCIL DATE:** TBD

**HNA OPPOSITION, RECOMMENDATION, REQUEST FOR POSTPONEMENT:**

HNA opposes the zoning and Neighborhood Plan change because it singles out an individual parcel(s) in a district and neighborhood plan – which are now planned and zoned for residential and limited office and mixed use – for the express purpose of allowing the City of Austin, together with the Applicant, to rezone and then to jointly arrange for the construction of a large 100-unit homeless housing project in the residential Hancock Neighborhood.

As may be seen from the below comments, the Staff recommendation is incorrect and inaccurate in many respects.

### **HNA SUPPORT FOR AFFORDABLE HOUSING**

The HNA strongly supports projects such as the 65-unit affordable housing project composed of one, two, and three-bedroom units, which the developers proposed for the same site in 2020. Further, the HNA encourages coordination between the City and neighborhoods to identify properties that would allow the highest and best use of affordable and supportive housing.

### **BASIS FOR HNA’S OPPOSITION, ITS RECOMMENDATION, AND ITS REQUEST FOR POSTPONEMENT**

**The Staff recommendation is incorrect and inaccurate in many material respects:**

**1. The Applicant proposes to build a 100-room housing project for people who are homeless, persons with drug and alcohol addiction, and with intellectual disabilities or mental health issues. This aspect of the project was not revealed in Staff’s report** – instead, the Staff characterized this Project as “affordable housing” in most references and, in a few cases, called it “supportive housing.” However, as is evidenced in the Applicant’s filings made to TDHCA for tax credits, the Applicant itself stated the residents of the housing project will include, among others, the following:

Persons with Special Housing Needs (alcohol or drug addictions.....)  
Homeless, Chronically Homeless, and Persons at-risk of homelessness  
Persons eligible to receive primarily non-medical home or community-based services  
Persons unable to secure permanent housing elsewhere due to high barriers

Please see **Exhibit A** attached hereto, which is the developer’s own description of the project’s residents submitted under oath to the TDHCA.

Therefore, the Staff recommendation appears materially incomplete.

**2. The Staff failed to include any documentation or expert analysis addressing the concern that the proposed homeless housing project as planned and designed may create significant issues regarding: (a) the quality of the immediate and long-term use,**

**operation, and management of the project AND (b) the risk of the increased likelihood of crime and/or drug use in the neighborhood (exacerbating already difficult safety issues in the neighborhood).** These issues were ignored by Staff.

The possible increase in crime and unsafe conditions – in a predominantly residential area with families and on a street with no sidewalks and parking on two sides – is a condition regarding the public health, safety, and welfare that must be properly and thoroughly addressed.

Because of the failure of the City to take public health and safety into account in its report to the Planning Commission, a group of concerned neighbors is in the process of hiring an expert urban planner and/or expert in neighborhood safety considerations.

The expert will need at least 30 days to complete an expert report. This report would assist the Staff, the Planning Commission, and the City Council in better understanding the true planning issues involved before deciding to place a homeless housing project in a residential area that would have an irreversible impact for over 50 years.

**3. Staff failed to provide any transit report or pedestrian safety analysis - which issue also impacts the public health, safety, and welfare.**

The dramatic increase of more than 100 persons walking on 39<sup>th</sup> street daily was not properly reviewed by Staff. 39<sup>th</sup> St. to the west of the project is a predominantly residential street with families. It has no sidewalks and parking on two sides is allowed. With such conditions, the increased pedestrian traffic would be unsafe and contrary to public health, safety, and welfare.

The location for this type of project should be more carefully selected to provide for modern urban sidewalks and pedestrian mobility. *Rather, it seems that this location is being forced onto a predominantly residential area on a street with no sidewalks that dates to the 1940s.*

Because of the failure of the City to take pedestrian safety into account, a group of concerned neighbors is in the process of hiring an expert civil engineer to examine this issue.

The expert will need at least 30 days to complete an expert report. This report would assist the Staff, the Planning Commission, and the City Council in better understanding the true planning issues involved before deciding to place a homeless housing project in a residential area that would have an irreversible impact for over 50 years.

**4. The Project does not show present detailed evidence that it meets SMART Housing requirements as per City ordinance, although the City staff claimed that “it is SMART Housing certified”**

The HNA has sought to determine how a project of the proposed general design can be deemed to be “certified” as a SMART Housing as it appears to be lacking certain pre-conditional elements needed to qualify. The HNA cannot find at present, any evidence of actual compliance with the SMART Housing ordinance (or documentation for it) - although it is seeking such. HNA needs more time to analyze this issue.

HNA respectfully requests the opportunity to discuss and review this with Staff.

**5. Decrease in surrounding property values was not mentioned by Staff, contrary to requirements**

There are approximately 100 homes in the key area within 1500 ft of the proposed homeless housing project. Based on research by the National Association of Realtors and the Fiscal Office of the Budget of New York, home values for those living near a homeless housing project may decline by more than 7 %. Therefore, it is possible that over 100 Austin families would suffer some degree of financial loss if this homeless housing project were to be constructed - although the exact amount of diminution will be unknown until an appraiser can give an expert opinion.

Also, some families in the neighborhood have already been advised by licensed professionals that they must make a disclosure, per Texas law, on a Sellers Disclosure Notice that a request for a zoning change has already been made.

Because the City did not take this factor into account, a group of concerned neighbors in the process of hiring an appraiser to render an expert opinion.

The expert will need at least 30 days to complete an expert report. This report would assist the Staff, the Planning Commission, and the City Council in better understanding the true planning issues involved before deciding to place a homeless housing project in a residential area that would have an irreversible impact for over 50 years.

**6. Certain Items May Be Contrary to Austin Land Development Code**

**(a) HNA has been advised that the notices required under Austin LDC Section 25-1-132 were not received by some “interested parties” and residents residing on the south side of Becker St - which is within 500 ft of the project.** This includes the notices regarding the filing of the original application for a zoning change and notice of the Planning Commission hearings.

HNA respectfully requests that Staff provide it with proof of mailing notices and the names and addresses to which each of the two above referenced 500 ft. notices were sent. Until such time, this matter should be postponed.

(b) As mentioned, HNA would respectfully appreciate the opportunity to see if this project has been properly certified as SMART Housing. If evidence shows that this project does not meet the LDC's SMART Housing requirements, then the ramifications may affect notices and other procedural and substantive issues regarding this application.

**7. A large portion of the Staff's verbiage in its report included "boilerplate" text about Imagine Austin, Austin Housing Blueprint, and Transportation Corridors - however, these concepts are so general that they could be used to support or oppose any particular project depending on the inclination of the reviewer.**

*Imagine Austin* is very general. It is a comprehensive plan that is about setting goals and policy; it's not a zoning tool. Parts of the plan could be used to argue for the development, while other parts could be used to argue against it.

Also, the *Strategic Housing Blueprint* is a general plan that sets goals and strategies; it is not a zoning tool.

#### **8. State laws governing zoning and zoning changes**

The Texas Local Government Code in Chapter 211 specifies that zoning powers granted to a municipality are for the purpose of promoting **public health, safety, morals, or general welfare** and that comprehensive plans are to be designed for lessening congestion on the streets, prevent overcrowding of land, and avoid undue concentration of population. Further, the regulations must be uniform in a district and should be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, **with a view of conserving the value of buildings and encouraging** the most appropriate use of land.

Austin's LDC also has *Recommendation Criteria* regarding recommending and approving a neighborhood plan amendment that is consistent with the above.

As mentioned previously, the HNA has already observed data from professional sources that a homeless housing project may decrease nearby property values of a large number of Austin residents – and it plans to hire an appraiser to verify this.

***HNA is also aware that there are several other locations presently available in close proximity to this property that appear to meet Imagine Austin and Strategic Housing Blueprint concepts that would not create the same problematic and serious issues (mentioned above) as would these individual lot(s) on 39<sup>th</sup> St.***



As may be observed by the issues mentioned above in this Opposition, it does not appear that these state law requirements have been taken into account. HNA believes this issue deserves further analysis by all parties and intends to consult with counsel.

**9. Spot zoning and contract zoning are not permitted in Texas**

HNA has discovered that the City and its agencies have entered into several agreements with this Applicant whereby both have apparently singled out this particular lot on 39<sup>th</sup> St. for a homeless housing project and that the City has assisted the Applicant so as to facilitate this project on this particular lot.

A concerned group neighbors is in the process of retaining counsel for the purpose of examining the factual evidence and the applicable law to determine if the City's and the developer's actions constitute impermissible "spot zoning" and impermissible "contract" zoning.

HNA believes that the law firm its group of concern neighbors plans to retain can form an opinion within 2 weeks after it receives the PIR documentation requested from the City. However, the City has stated that complete responses to PIR requests will not be available until June 16, 2022.

**10. Due process - HNA is entitled to a fair and reasonable time period in which to gather evidence, information and present the same to its experts for review**

Since certain information will not be available from the City until June 16, 2022, and in light of the need for HNA's experts to review matters, HNA respectfully requests a 30-day postponement of the Planning Commission hearing of this matter. This request is not made for the purpose of delay but rather that HNA's due process rights may be preserved.

If a postponement for 30 days were not permitted, then HNA would clearly be prevented from the opportunity to have a fair hearing before the Planning Commission.

**11. There is no expediency or other rationale that may be suggested to deny basic constitutional rights of due process**

It is unfortunate the Applicant has certain "funding deadlines" and is requesting "rush" treatment of their application – but HNA strongly disagrees that this is a "rush" or "panic" situation. The issues raised are serious ones.

The City is a co-developer with the Applicant for this homeless housing project. The City's agencies have offered to provide millions of dollars for this project and agreed that it would buy the land for the project. Now, the City's Staff provided a "recommendation" to change the zone and neighborhood plan – which "recommendation" was incomplete in numerous material respects.

HNA is entitled to due process, which includes a fair and unbiased review by independent experts **and** adequate time to have such experts review data and prepare reports.

The due process rights of the hundreds of families that may be adversely affected by this project - if it were approved in the form it now stands - are at stake.

There are other properties and other funds available for developers to construct homeless housing projects in other areas. The HNA does not object to a 65-unit affordable housing project which the developers proposed in 2020.

The HNA and many residents nearby the project believe that Staff did not make but should have made a complete and thorough review of all relevant issues - including fairly taking into account the numerous issues of public health, safety, and welfare, mentioned herein.

At this time, the application to change Neighborhood Plan and present zone should be denied; or alternatively, this matter should be continued for 30 days.

Respectfully submitted,

Hancock Neighborhood Association

By: Coan Dillahunty

Its President

**From:** Coan Dillahunt  
**Sent:** Tuesday, May 3, 2022 4:44 PM  
**To:** Truelove, Rosie <Rosie.Truelove@austintexas.gov>; Rusthoven, Jerry <Jerry.Rusthoven@austintexas.gov>; May, James <James.May@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Jones, Nathan <Nathan.Jones@austintexas.gov>; Radtke, Alex <Alex.Radtke@austintexas.gov>  
**Cc:** Bart Whatley <Bruce H. Fairchild <>; Laura T. <>  
**Subject:** RE: Hancock Neighborhood Association's request for postponement of at least 60 days of planning commission hearing on the housing project for 100 units of 451 s.f. each proposed for 1004, 1006, 1008 E. 39th St.,

\*\*\* External Email - Exercise Caution \*\*\*



## Hancock Neighborhood Association

May 3, 2022

To: Rosie Truelove – Director of Housing & Planning – via email  
 at: [Rosie.Truelove@austintexas.gov](mailto:Rosie.Truelove@austintexas.gov)  
 To: Jerry Rusthoven – Housing and Planning Department – via email  
 at: [Jerry.Rusthoven@austintexas.gov](mailto:Jerry.Rusthoven@austintexas.gov)  
 To: James May – Housing and Community Development Officer – via email  
 at: [James.May@austintexas.gov](mailto:James.May@austintexas.gov)  
 To: Maureen Meredith – Senior Planner Inclusive Planning Division – via email  
 at: [Maureen.Meredith@austintexas.gov](mailto:Maureen.Meredith@austintexas.gov)  
 To: Sherri Sirwaitis – Austin Zoning – via email at: [sherri.sirwaitis@austintexas.gov](mailto:sherri.sirwaitis@austintexas.gov)  
 To: Nathan Jones – Austin Affordability Unlocked – via email  
 at: [nathan.jones@austintexas.gov](mailto:nathan.jones@austintexas.gov)  
 To: Alex Radtke – Senior Planner – via email at: [Alex.Radtke@austintexas.gov](mailto:Alex.Radtke@austintexas.gov)

From: Hancock Neighborhood Association

**RE: Hancock Neighborhood Association's request for postponement of at least 60 days of Planning Commission hearing on the housing project for 100 units of 451 s.f. each proposed for 1004, 1006, 1008 E. 39th St., Austin, TX 78751 with case numbers as follows:**

NP-04-0021; [NPA-2022-0019.01.SH](#)  
 C14-04-0023

(all referred to "Housing Project" also may be referred to as 'Cady Lofts')

Dear Addressees:

The Hancock Neighborhood Association ("HNA") respectfully submits this request for a 60-day postponement of all matters concerning the Housing Project before the Planning Commission for the following reasons:

### **BACKGROUND**

The Hancock Neighborhood Association ("HNA") has been chartered to preserve the Hancock neighborhood as may be seen by the heading and title of our website at <https://www.hancockna.org>.

The boundaries of the Association are: west of Interstate 35 to the east side of Duval and the north side of 32nd Street to the south side of 45th Street.

The HNA voting membership opposed the Housing Project by a vote of 87.5% of its members on April 28, 2022. A copy of the resolution is attached as Exhibit A.

It has only recently come to the attention of the HNA that the developers have submitted numerous documents to the City of Austin, TDHCA, HACA, and AAFC, some of which exceed 450 pages. Unbeknownst to the HNA, the developers have submitted documents concerning the Housing Project to the City of Austin concerning certain applications as far back as 2020. This indicates that the Housing Project has been planned for years in advance by developers.

Developers and the City have had ample time to assemble documents and prepare presentations and submittals for City of Austin, TDHCA, HACA, and AAFC – but the HNA has had none – which is grossly unfair to our neighborhood association.

Developers have had numerous communications with these governmental groups over the last several months, preparing and submitting various documents, letters, and applications – and HNA has had none – because it was not timely notified.

The HNA has only, within the last two weeks, become aware of a larger part of the scope of the possible planned Housing Project. The HNA has learned that this project is being jointly developed, supported, and funded by the City of Austin and its agencies and that it has been assembled for many months prior.

HNA has not in the past or at this time yet been fully and adequately informed or notified as to the complete scope of the Housing Project. (Please note that there is a significant

difference between being “informed” via an innocuous one-paragraph email and being “fully and adequate” informed so as to enable one to make an informed decision).

Further, the proposed plans for the Housing Project have changed substantially in the last two weeks, with the developer presenting two new options for their Housing Project, both with different associated zoning, height, and impervious cover among other elements. We are unsure of which plan is being brought forth for consideration and require additional time to research these options.

The Hancock neighborhood is a quiet historic area that has for years maintained its unique character through SF-3 zoning.

Much critical material is still unknown to HNA. It is important because of the need for HNA to make an informed decision.

### **BRIEF FACTUAL STATEMENT**

1. HNA is in the process of now discovering more information about the Housing Project and its related business every day - although its request for more information from the developer has been rejected. Please see the email from me to the developer sent on May 3, 2022 – attached as Exhibit B.
2. Some materials revealed that the proposed Housing Project (but not yet finally decided):
  - a. would be at least four stories high, have minimal green space, minimal parking, almost all impervious cover, would have a floor plan much like a detention center with 100 efficiency units of 451 square feet each in a rectangular format
  - b. the business aspect of this large out of character building is that it would operate supportive housing for people coming out of homelessness, treatment facilities, with case managers
  - c. There are no two or three-bedroom units of affordable or supportive housing.
3. The developer’s financing deadlines and their impacts on the overall timeline have not been clearly articulated, although the developers are using the financing timeline argument to support their position against postponement by interested parties. Had the developers been more forthcoming and cooperative with the neighborhood, the neighborhood's ideas for two and three-bedroom affordable housing for mixed-income would have been received by the developers.

4. The members of the Hancock Neighborhood Association are not experts in development, they all have day jobs, they want to see affordable and supportive housing expand in Austin, but they also want to protect their legal rights, property rights and want the fair opportunity to gather information, assemble it and then have experts in land use planning, civil engineers, attorneys, appraisers, environmental and safety experts examine all the information.

### **EXECUTIVE SUMMARY**

1. There are compelling and complex reasons why a 60-day postponement request is justified and why there are "extraordinary reasons" showing that it should be granted.
2. The housing project and its related business are incompatible with the neighborhood plan and are strongly opposed by the Neighborhood Association. The SF-3 zoning district and Neighborhood Plan established by the ordinance of the city of Austin are something that must be maintained on a consistent basis.
3. Since this Housing Project is being co-developed by the city of Austin and its agencies with a private developer that has sought a change of the established NP and zoning, this greatly impacts the HNA's analysis of the project and creates issues that HNA must explore.

### **EXTRAORDINARY ISSUES RAISED BY THIS COMPLEX AND "OUT OF CHARACTER" BUSINESS AND HOUSING PROJECT WHICH DEMONSTRATE NEED FOR 60-DAY CONTINUANCE**

1. The HNA has demonstrated good faith by suggesting alternative designs that would include both affordable and supportive housing for both families and individuals on these lots, but the developers refused to modify their 100 unit and 451 s.f. unit rectangular design.
2. This is not an "ordinary case" of a neighborhood plan change or zoning change where a developer or builder seeks change for a triplex or fourplex or some incentives and can "work it out" with the neighborhood association, rather this is a unique and complex case where an extraordinarily "out of character" Housing Project and related business is seeking.

### **CONCLUSION**

Based upon the foregoing, the Hancock Neighborhood Association respectfully requests that the hearing of the above-mentioned extraordinary case and housing project and related business be continued for at least 60 days from May 10, 2022.

Due to time constraints, HNA reserves the right to supplement this Request prior to May 10, 2022.

Respectfully submitted,

Hancock Neighborhood Association  
By its President: Coan Dillahunty

Attachment: Resolution

Attachment: HNA Cady Lofts Response Email dated 05/04/2022

5/3/22, 4:40 PM

Gmail - Re: "Cady Lofts" - 1004, 1006, 1008, East 39th St, Austin, Travis County, Texas, a large rental project of 100 units of 451 s.f. each on a s...



Coan Dillahunty &lt;coan.dillahunty@gmail.com&gt;

**Re: "Cady Lofts" - 1004, 1006, 1008, East 39th St, Austin, Travis County, Texas, a large rental project of 100 units of 451 s.f. each on a small parcel - hereafter called the "Rental Housing Project")**

Coan Dillahunty &lt;coan.dillahunty@gmail.com&gt;

Tue, May 3, 2022 at 9:38 AM

To: Megan Lasch &lt;megan@o-sda.com&gt;

Cc: Sally Gaskin &lt;sally@sgiventures.net&gt;, "Lisa@saigebrook.com" &lt;lisa@saigebrook.com&gt;, Bart Whatley &lt;bart.whatley@gmail.com&gt;, "Bruce H. Fairchild" &lt;bhfairchild@gmail.com&gt;, "Laura T." &lt;lautul1995@gmail.com&gt;

Hello Megan,

We received your email and are disappointed in your response to what we believe is a serious matter. If your request for zoning and NP plan amendment were to be approved, it would cause a large building inconsistent in all respects with the neighborhood to be situated in the neighborhood for at least 50 years, impacting hundreds of people and their property living within HNA.

It feels presumptuous of you and your organization to tell us that we already have what we need when HNA's professional advisors have stated the info requested of you is required for us to be adequately informed. HNA is surprised that you will not provide information. Most surprising, however, is that you will not agree to postpone a hearing knowing that you have been working on this project since 2020 and HNA only recently received partial information about it. Even then, the information continues to change, with you last making changes on April 20th when you proposed two new options for the development, both with unique implications for zoning. Nor have you explained why you are rushing a hearing on a project that will have a half-century impact on HNA. What is the reason to prevent HNA from adequately preparing for a project you have had under consideration for over a year?

We again request that you deal fairly with the neighborhood as other developers would do instead of trying to ram your project through before we can adequately assess it. We're at a loss to understand why you will not appreciate the concerns of 87.5% of HNA's voting members, who have respectfully asked for a highly reasonable postponement.

Best regards,

Coan Dillahunty  
HNA President  
[Quoted text hidden]



**RESOLUTION  
BY THE HANCOCK NEIGHBORHOOD ASSOCIATION ("HNA")**

Whereas, the Hancock neighborhood is valued for its residential character that is unique in Austin and one of the few remaining central city neighborhoods with a unique mix of land uses and residents; and

Whereas, the Hancock Neighborhood Plan explicitly calls for the preservation of SF-3 zoning on lot 1004 E-39<sup>TH</sup> and no mixed-family development to the West of Harmon; and

Whereas, SGI Ventures (the "Applicant" henceforth) with support from the Housing Authority of Austin (HACA) has applied with the State of Texas for 9% tax credits to develop and operate a building containing 100 SRO efficiency rental units (of approximately 451 s.f. each) for permanent supportive housing ("PSH") to be located partly on land now zoned SF-3 in a residential family area of the Hancock Neighborhood; and

Whereas, the Applicant has applied for a zoning change and FLUM amendment for parcels of land at 1004, 1006, and 1008 E39th to change zoning so as to the highest allowed density (MF-6-NP) and has asked for an Affordability Unlocked certification so as to avoid compatibility requirements, among other things; and

Whereas, the Hancock Neighborhood has had its density increased by 1200 units in recent years in the former Concordia campus with promises for affordable housing that have been unmet; and

Whereas, the Applicant has previously proposed designs of a building that indicated that a mix of efficiency units and one and two-bedroom units was economically viable but now has recently indicated to HNA that they could build 100 rental units of 451 s.f. each without a zoning change; and

Whereas, the HNA was first briefly notified in January 2022 in a short email about the possibility of state tax credits for a "potential project" but HNA was never informed of the developer's request for a zoning change, FLUM amendment, the large involvement of the Housing Authority of the City of Austin until a few weeks ago, nor have the developers of this project yet provided the HNA (despite requests) with important material information about the project, its ultimate ownership, its final design or details of its management over the 50 years minimal life of the rental housing project.

Whereas, the HNA has been recently involved with TxDOT concerning TxDOT plans to enlarge I-35 so that it encroaches almost one city block further into E. 39<sup>th</sup> St, thereby eliminating present sidewalks and placing traffic flow closer to the SF-3 zone; and the HNA has noted that 39<sup>th</sup> St has no sidewalks on either side

Whereas, in just the last few short weeks, as the developer has revealed more details about its rental project, the HNA needs to obtain all relevant information and study it as HNA aspires to create a plan that enhances the character of the Hancock neighborhood, helps solve the affordable housing crisis in Austin through alternative two and three-bedroom ownership projects and permanent supportive housing while buffering the neighborhood from the I-35 redevelopment and further encroachment.

NOW, THEREFORE,

**BE IT RESOLVED BY THE HANCOCK NEIGHBORHOOD ASSOCIATION OF THE AUSTIN CITY COUNCIL THAT:**

To protect and maintain the single-family nature of one of Austin's most unique Central neighborhoods, and to enable a planned approach to redevelopment along the I-35 transit corridor in the near future; the Hancock Neighborhood Association makes the following recommendations on the Proposed Cady Lofts (100 rental units of 451 s.f. each) Zoning Change and FLUM Amendment.

The Hancock Zoning Neighborhood Association OPPOSES and recommends AGAINST the Zoning Change and FLUM Amendment for the following reasons:

1. The building is not compatible with the neighborhood from both a unit mix (non-family) and a density (x10 current use) point of view
2. As mentioned previously, the developer has not yet provided HNA with important information that has been requested and therefore we do not know what will be built on the land if we were to agree to the zoning change. We do not see sufficient evidence of committed and funded supportive services necessary to have a successful project.
3. The application is only competitive at the State due to misrepresentation by City Staff that the Hancock neighborhood is an area in need of revitalization. This is one of the last remaining opportunities for the City to correct its mistake.
4. We have been forced into an inappropriately tight timeline by late engagement from the Applicant and the failure to provide timely information resulting in a denial of HNA's right to make an informed decision and have a meaningful opportunity to be heard.
5. Premature densification in this area will hinder options for better use in the future.

Because of the foregoing, in addition to the OBJECTION to the proposed 100-unit rental project, the HNA formally requests a 90 DAY POSTPONEMENT of any hearing scheduled at the Planning Commission and or City Council so that such would not take place until at least August 2022 – this would provide the HNA with time to further study important material information and retain experts as needed.

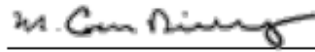
**BE IT FURTHER RESOLVED:**

To request the City Manager, City Council, Planning Commission, and City Staff to consider the Hancock Neighborhood Association's recommendations related to land use in the Eastern section of the Hancock Neighborhood:

1. instead of unreasonable short notice, to engage with the HNA on an early and timely basis and allow ample time for reasonable notice and opportunity to be heard after full disclosures
2. to study, in advance, along with the HNA, the land with the highest and best use for affordable housing and Affordability Unlocked in the Hancock area - as the HNA could easily indicate that other tracts of land would be available for affordable housing without neighborhood disruption
3. to study and to make as necessary, certain clarifications as may be necessary with TDHCA with respect to the requirements of revitalization plans prior to offering further letters of support for 9% tax credit applications
4. to change present City policy regarding Affordability Unlocked (AU) applications so as to require that Neighborhood Associations **MUST** be notified in advance of all AU applications covering projects within a neighborhood. HNA has been surprised to learn that the developer, in this case, has had numerous communications with the Affordability Unlocked staff at the City but no person from any City staff department timely advised the HNA of this.

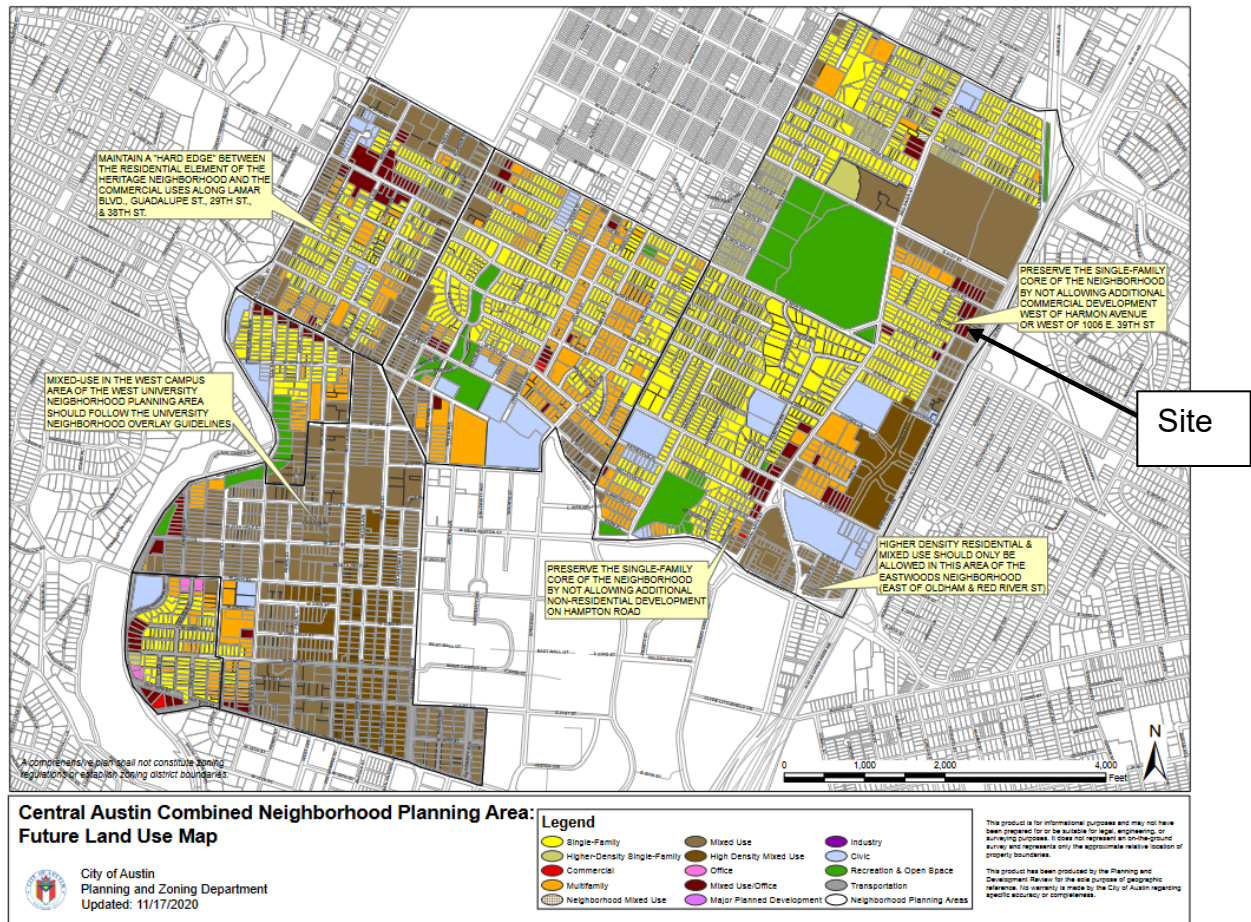
**ADOPTED BY THE HANCOCK NEIGHBORHOOD ASSOCIATION: April 28, 2022**

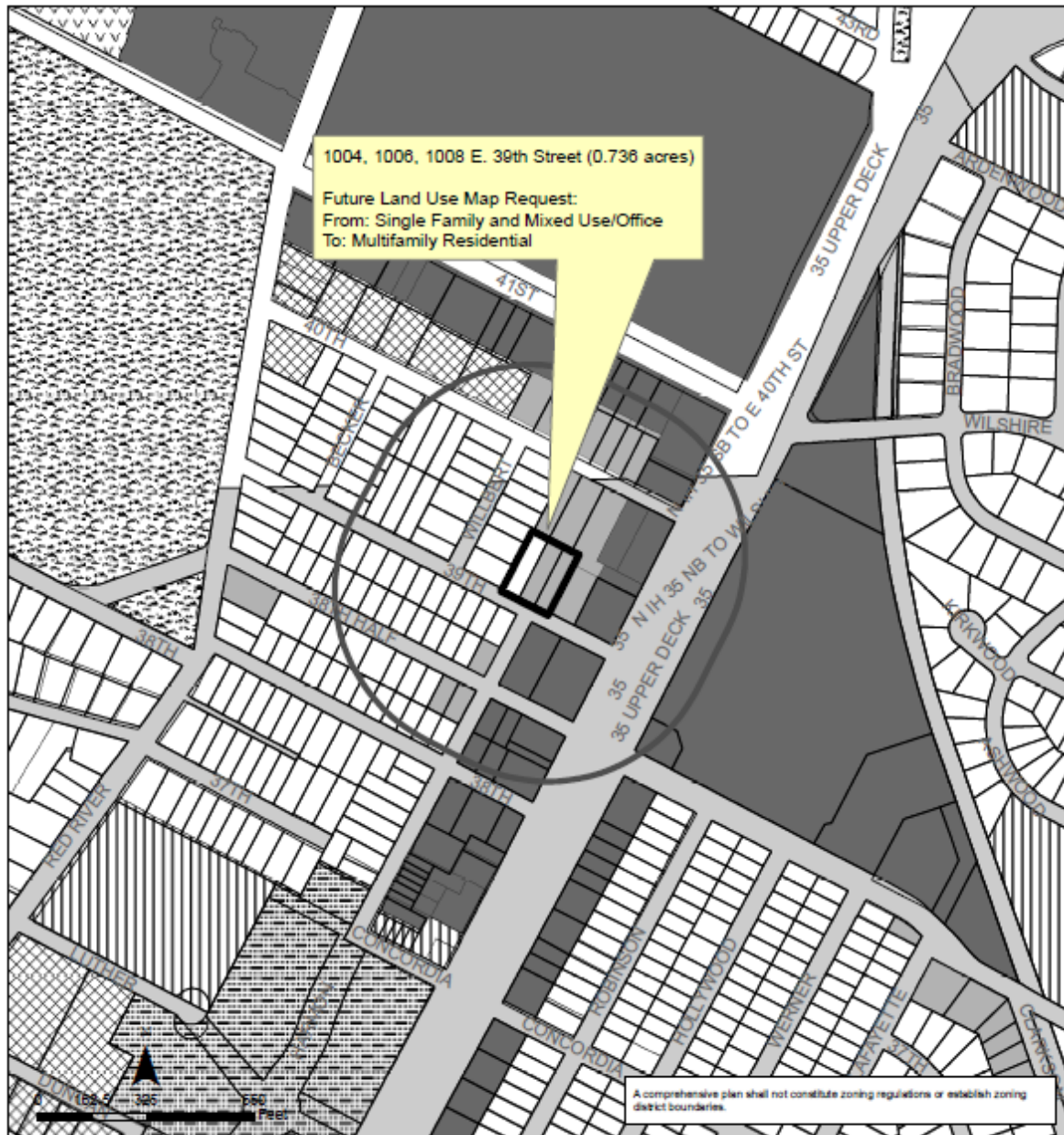
**ATTEST:**



**Coan Dillahunt  
President, Hancock Neighborhood Association**







Central Austin Combined (Hancock) Neighborhood Planning Area  
NPA-2022-0019.01.SH












This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

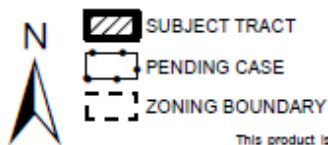
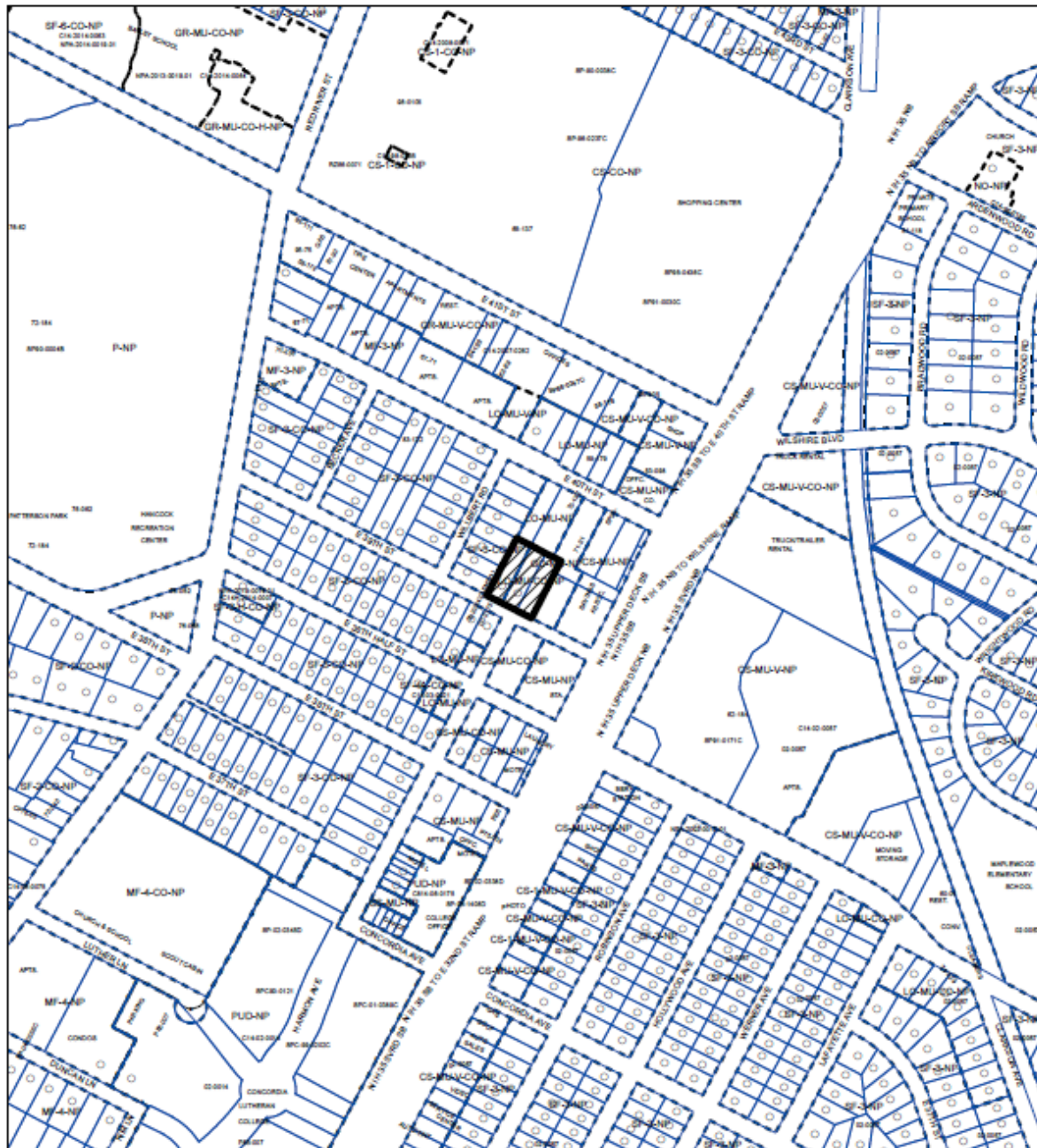


City of Austin  
Housing and Planning Department  
Created on 3/7/2022, by: MeeksS

### Future Land Use

	500 ft. notif. boundary		Mixed Use/Office
	Subject Tract		Multi-Family
	City		Recreation & Open Space
	High Density Mixed-Use		Single-Family
	Higher-Density Single-Family		Transportation
	Mixed Use		





1" = 400'

### ZONING

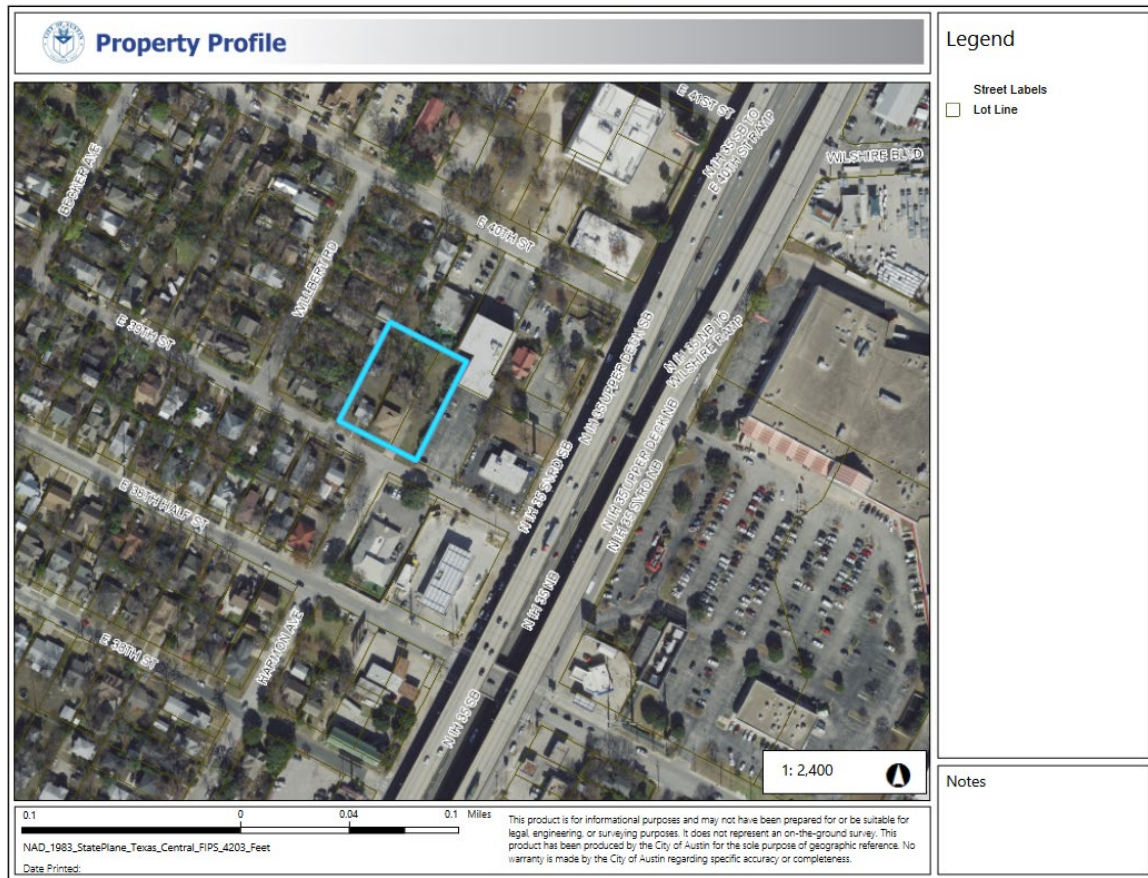
ZONING CASE#: C14-2022-0019.SH

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

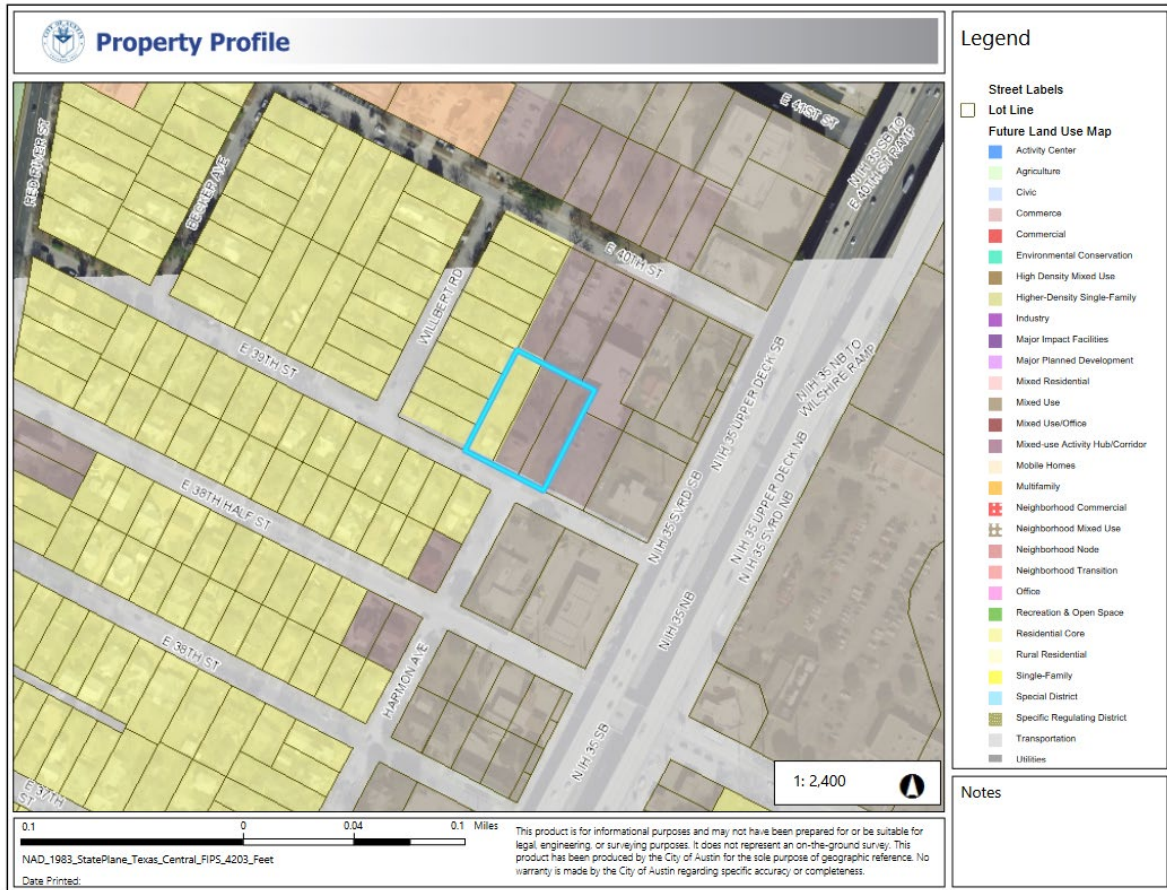
This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or

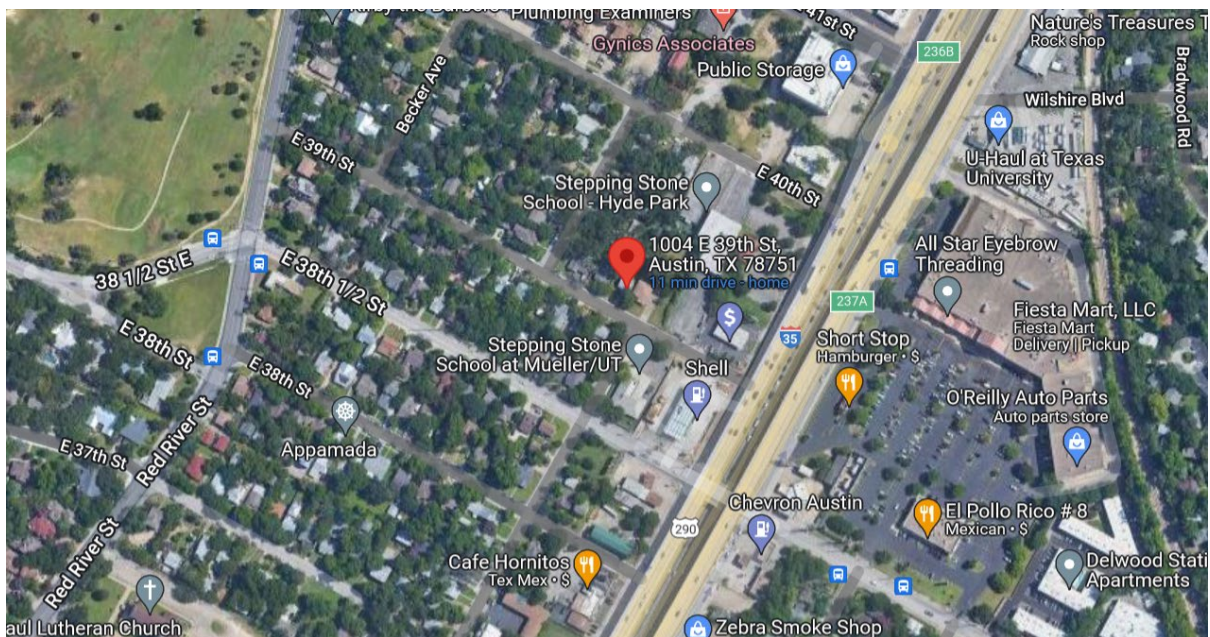
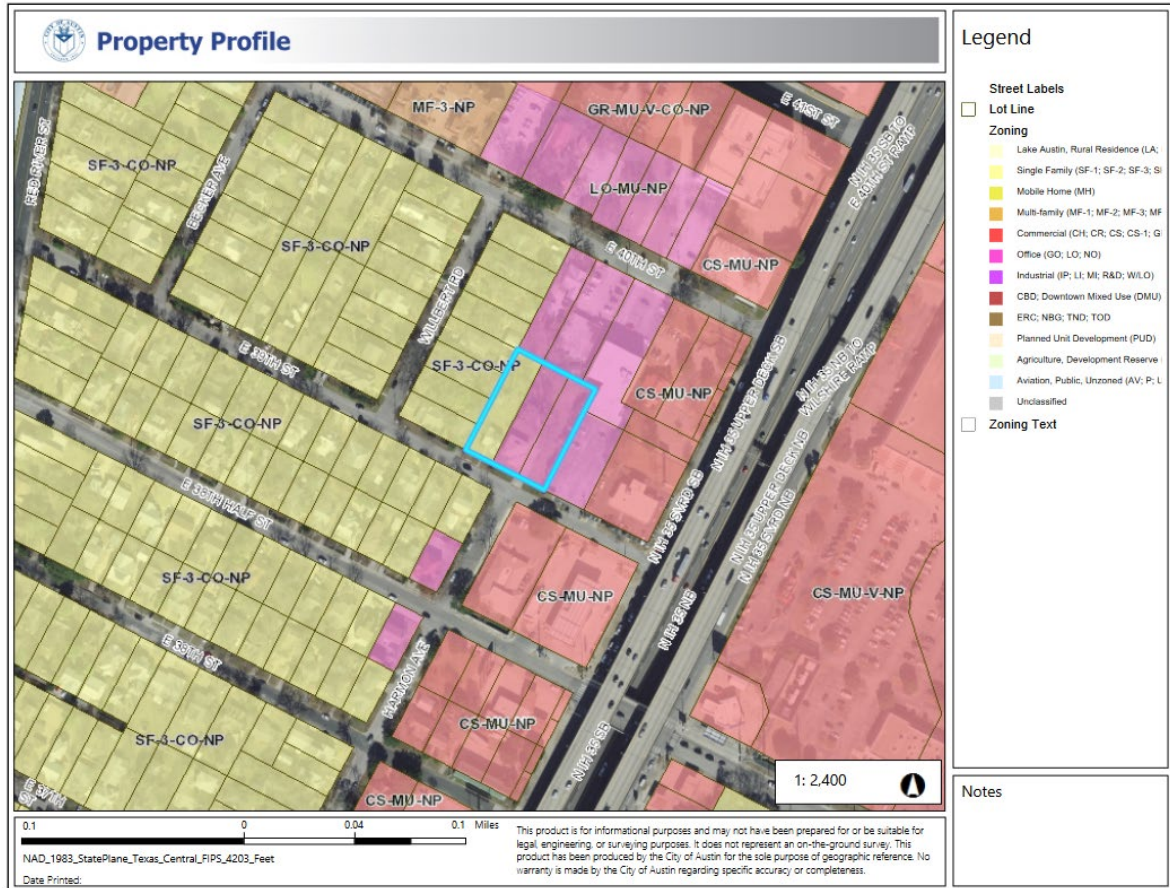


Created: 2/22/2022















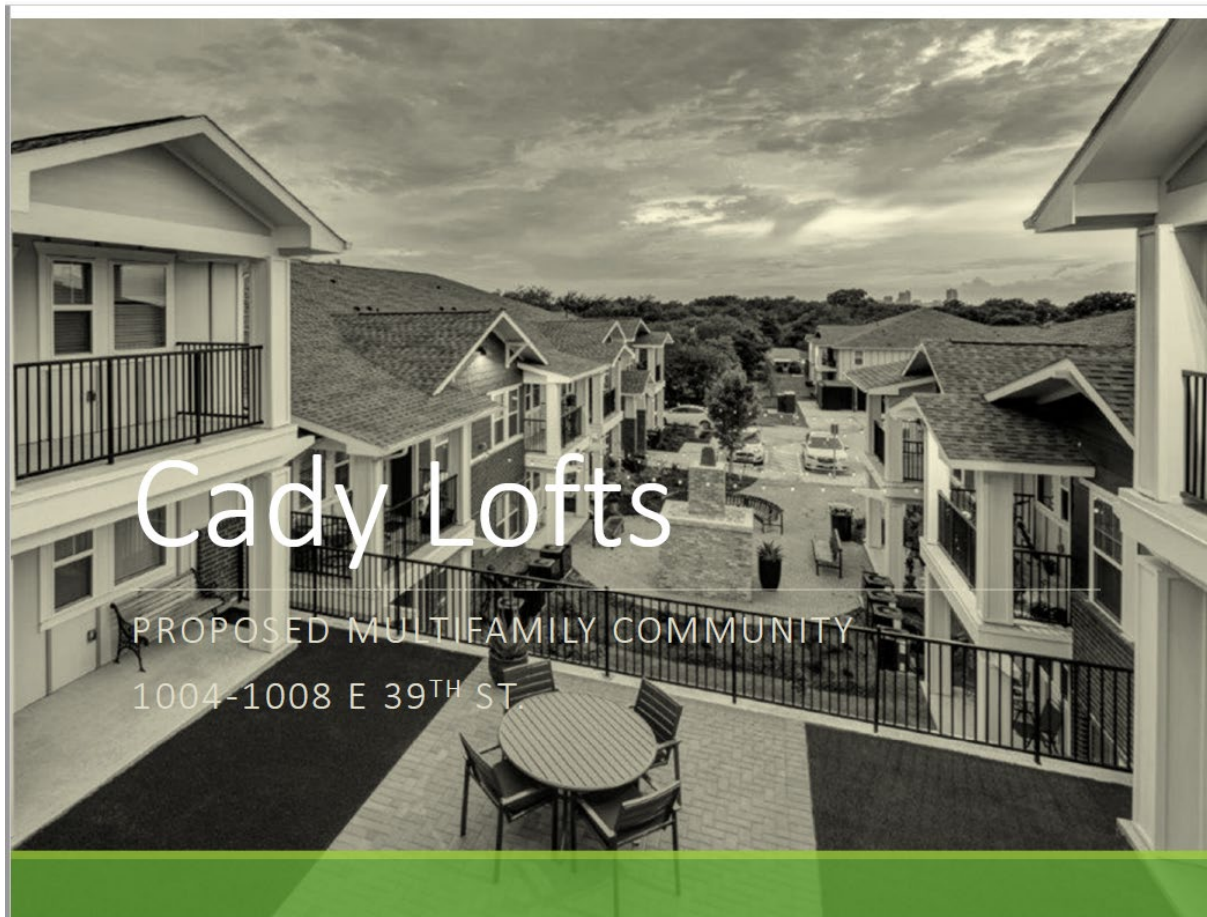
















## Austin Affordable Housing Corporation (AAHC) & SGI Ventures, Development Owners and Co-Developers

Saigebrook Development & O-SDA Industries, Development Consultants; New Hope Housing (NHH)

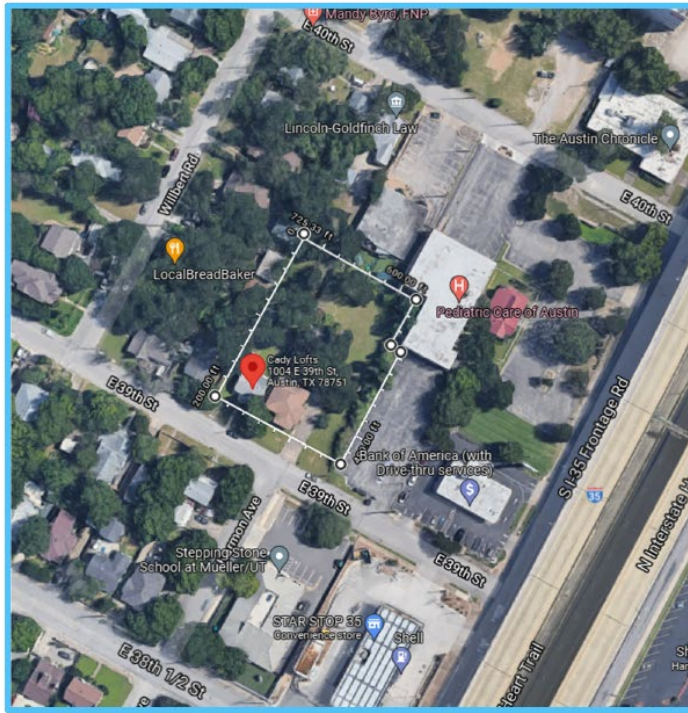
- AAHC, the nonprofit affiliate of HACA, formed in 2003, is the General Partner and Co-Developer
- SGI, a Texas-based, Woman-owned firm is the Admin Member, Co-Developer, and Guarantor
- Saigebrook and O-SDA are Texas-based, Woman-owned firms are development team consultants
- NHH is a Texas Non-Profit with 25+ years of experience serving PSH residents



## Austin Affordable Housing Corporation (AAHC) & SGI Ventures, Development Owners and Co-Developers

Saigebrook Development & O-SDA Industries, Development Consultants

- The development team has 20+ years experience in multi-family development
- Developers of approx. 6,200 units, more than 3,000 units in Texas.
- Innovative, neighborhood-appropriate development
- Developers maintain ownership of communities for 15+ years
- Green Building Practices
- Public Art
- Onsite Management: At minimum two full-time staff: one maintenance and one manager



## Cady Lofts

1004-1008 E 39th St

Partnership with Austin Affordable Housing Corp (affiliate of HACA)

Support services to be coordinated by New Hope Housing

100 Studio Units

100% CoC units

■ 0.74 acres

Short walk to

- Red River/38th Half bus stop
- Hancock Recreation Center
- HEB and Fiesta Grocery and Pharmacy @ Hancock Center
- Various medical clinics and medical services

## Rendering of 39<sup>th</sup> St.-Facing Building Front

Max Proposed Height: 45.5 ft





## Rendering of West-Facing Building Side



## Proposed Site Plan

Proposed  
Zoning:  
MF-6-CO-NP

FLUM  
Amendment:  
Single Family  
and Mixed-  
Use Office to  
**Multifamily**



	Current Zoning with Affordability Unlocked		MF-4 with Affordability Unlocked	MF-6 with Affordability Unlocked	Proposed Design (MF-6-CO-NP)
Site	1004 <i>SF-3</i>	1006, 1008 <i>LO-MU</i>	1004, 1006, 1008	1004, 1006, 1008	1004, 1006, 1008
Height	52 ft max	60 ft max	90 ft max	135 ft max	45.5 ft
Setbacks (rear, side)	5 ft, 5 ft	2.5 ft, 5 ft	5 ft, 5 ft	5 ft, 5 ft	7.5 ft, 26 ft
Impervious Cover	45%	70%	70%	80%	73%
Building Cover	40%	50%	60%	70%	69%

Rezoning will include adding a Conditional Overlay that matches the proposed development and will restrict the property to this design.



## Onsite Public Art

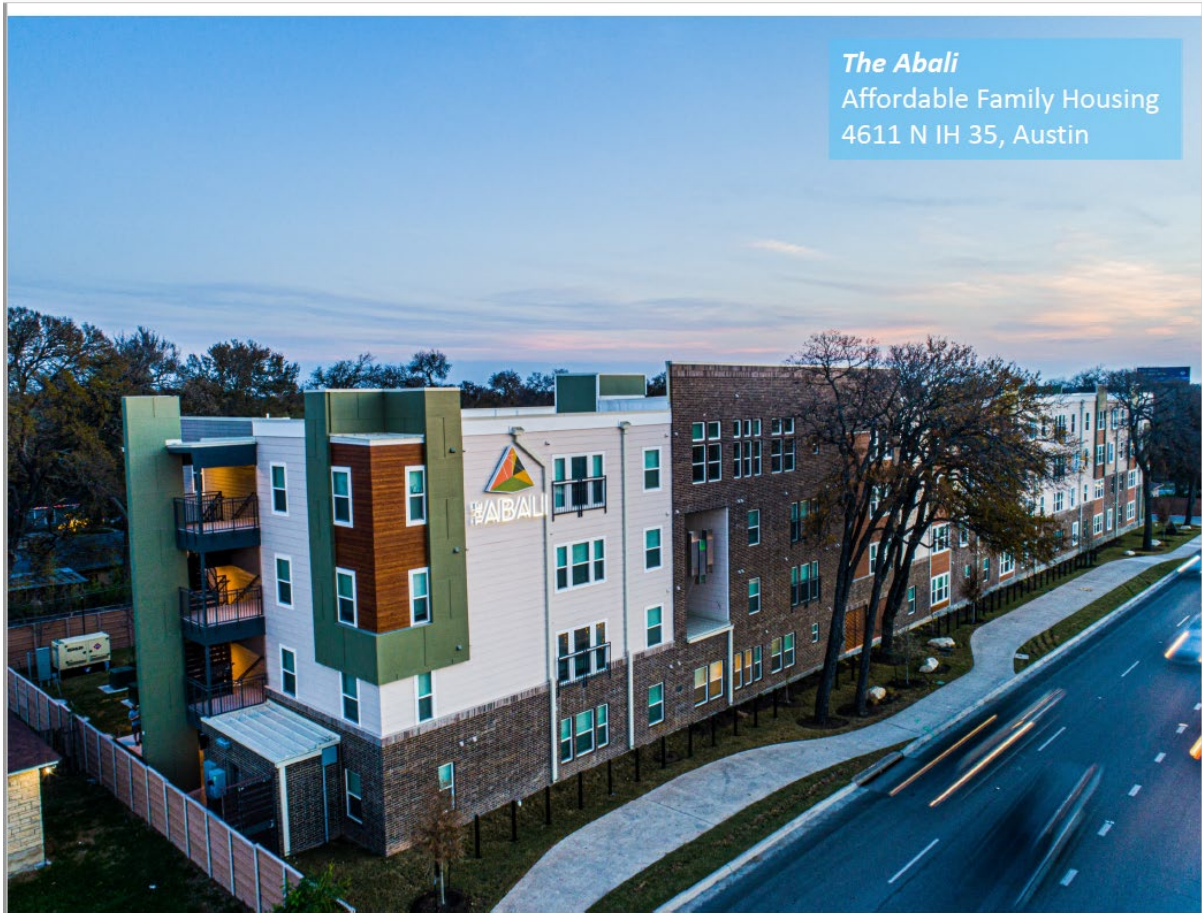
Saigebrook & O-SDA hire local artists to create art for the community at each development.

At The Abali, in Austin, we hired seven local muralists to paint colorful murals in our parking bays for residents to come home to.





## Development Examples



















New Hope Housing's core purpose is to provide life-stabilizing, affordable, permanent housing with support services for people who live on very limited incomes.





## Unit Interiors

Resilient Flooring (no carpet)

Fully Furnished Units

Solid Surface Kitchen  
Countertops and  
Bathroom Vanities

Energy Efficient Lighting

Energy Efficient  
Appliances







## Community Amenities

On-site leasing center  
including service provider  
office space and meeting  
rooms

Community Warming Kitchen

Computer Center

Community Laundry

Outdoor community  
courtyard space

Elevator-served building

Controlled access, 24 onsite  
management





## Resident Support Services

Onsite services tailored to resident needs, to be provided by our nonprofit supportive service partner, New Hope Housing. Examples at other communities include:

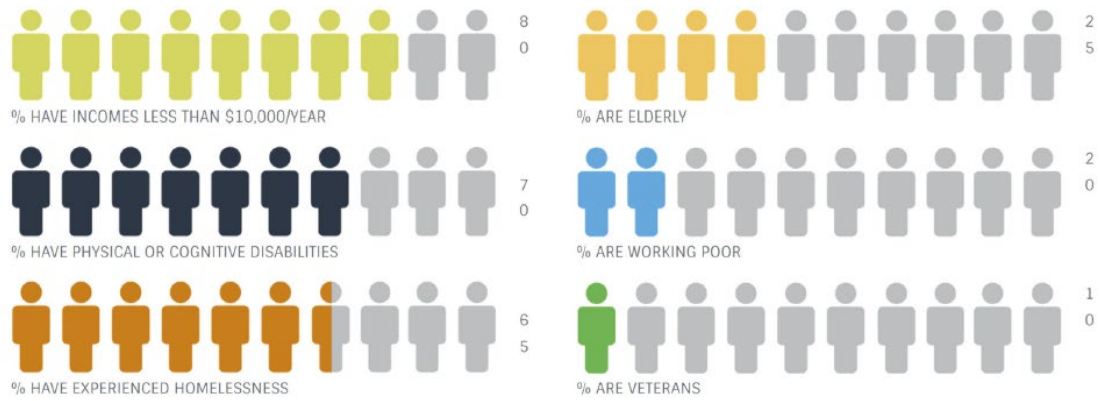
- § Health screenings
- § Fitness classes
- § Monthly free social events
- § Nutrition cooking classes
- § Personal finance classes and tax preparation





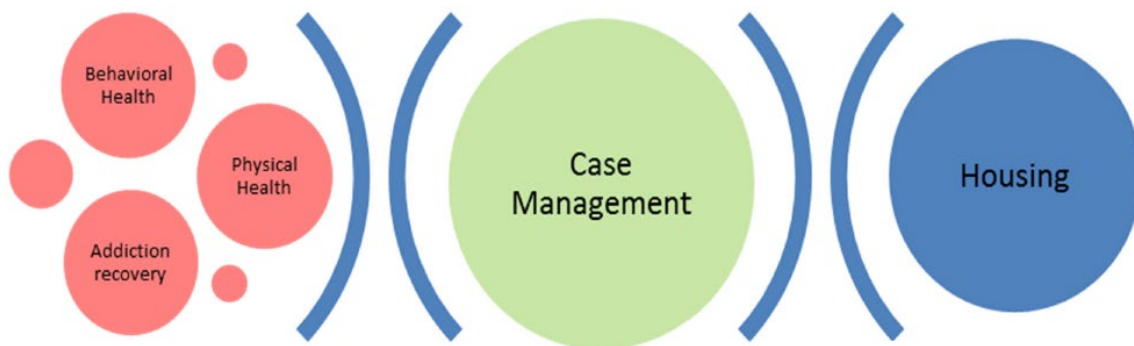


## New Hope Housing Residents



---

## Integrated Care



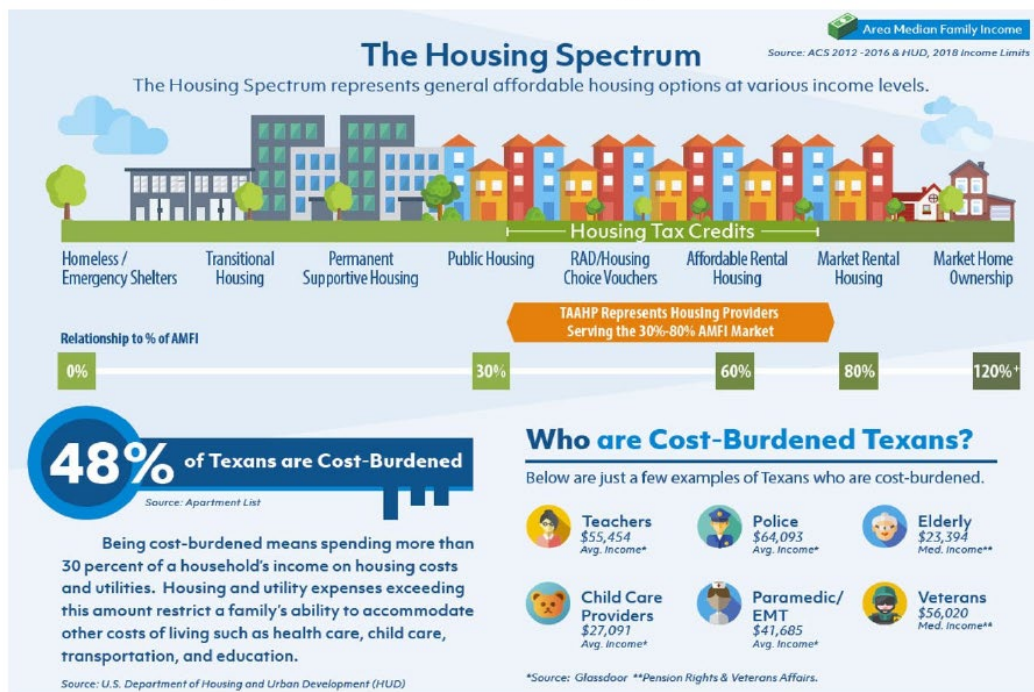




## 2022 Application/Development Timeline



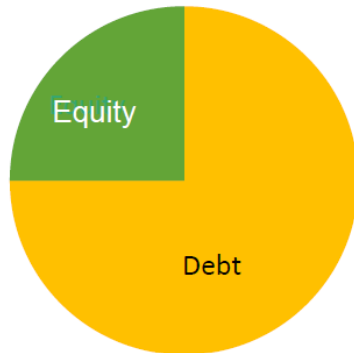
# Housing Tax Credit Program



**\*\*Infographic from Texas Affiliation of Affordable Housing Providers**

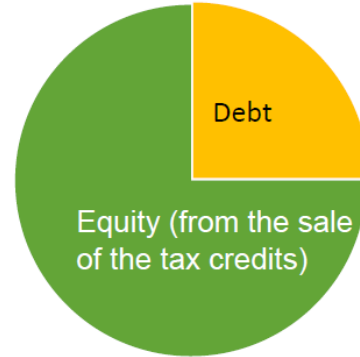
## Conventional Financing vs. Tax Credit

Conventional Financing



Conventional: 75% Debt, 25% Equity

9% HTC Financing



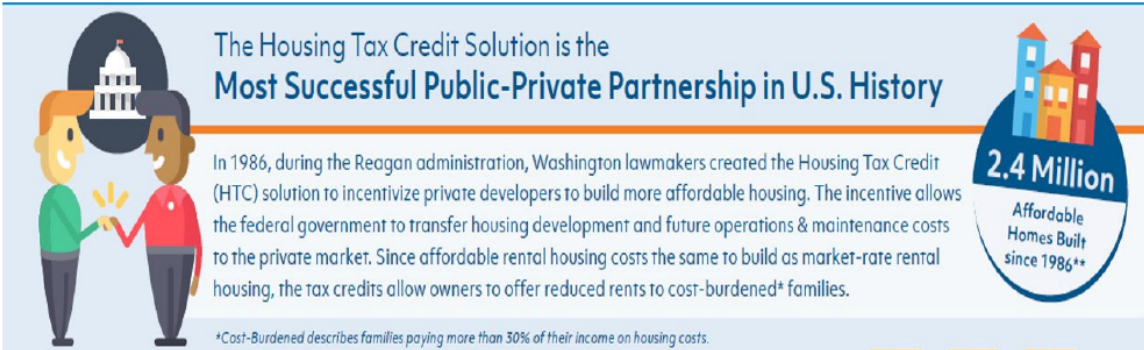
Tax Credit Financing: 25% Debt, 75% Equity

- Less debt means lower monthly mortgage payments and therefore more affordable rents
- Housing is made affordable through the financing programs we utilize



## Program Restrictions and Information

- Residents must meet screening, background, credit and income requirements.
- Rents are based on Area Median Income (AMI) of the **COUNTY**
  - Program has created 2.4 million affordable homes since 1986
  - Pay for performance accountability has driven private sector discipline to the program, resulting in a foreclosure rate of less than 0.1%



The infographic features a light blue background with a horizontal orange line. On the left, two stylized figures, a man and a woman, are shaking hands. Above them is a circular icon containing a white silhouette of the U.S. Capitol building. To the right of the figures, the title 'The Housing Tax Credit Solution is the Most Successful Public-Private Partnership in U.S. History' is written in blue. Below the title, a paragraph explains the program's history and purpose. On the far right, a circular badge with a blue border contains the text '2.4 Million Affordable Homes Built since 1986\*\*' and an illustration of three colorful houses. At the bottom left, a small footnote defines 'Cost-Burdened'.

**The Housing Tax Credit Solution is the Most Successful Public-Private Partnership in U.S. History**

In 1986, during the Reagan administration, Washington lawmakers created the Housing Tax Credit (HTC) solution to incentivize private developers to build more affordable housing. The incentive allows the federal government to transfer housing development and future operations & maintenance costs to the private market. Since affordable rental housing costs the same to build as market-rate rental housing, the tax credits allow owners to offer reduced rents to cost-burdened\* families.

\*Cost-Burdened describes families paying more than 30% of their income on housing costs.

**2.4 Million**  
Affordable Homes Built since 1986\*\*



## Correspondence Received



May 4, 2022

RE: Letter of Support for Cady Lofts

To Whom It May Concern:

The Ending Community Homelessness Coalition (ECHO) is the lead Continuum of Care (CoC) agency for Austin/Travis County. ECHO is charged with creating and managing access to permanent housing on behalf of the homeless response system. The proposed Cady Lofts development at 1004-1008 E 39<sup>th</sup> Street will provide 100 Permanent Supportive Housing (PSH) units dedicated to single adults. Cady Lofts will dedicate 100% of the units to the Homelessness Response System and will exclusively take referrals through the Coordinated Entry system, which is coordinated by ECHO.

We currently have a gap of approximately 3000 PSH units for single households in Austin/Travis County and a gap of approximately 150 PSH units for families. These units will provide much needed PSH for our unhoused single household neighbors in a high opportunity area just west of I-35. The developers of Cady Lofts, SGI Ventures, and New Hope Housing approached ECHO in early March to begin conversations of how to set up a successful partnership at the property. In addition, SGI Ventures connected neighbors to ECHO. ECHO provided information to the neighborhood directly regarding the needs of the Homelessness Response System.

ECHO is therefore in support of Cady Lofts housing development as it will produce long term resources to end homelessness in Austin/Travis County.

Please feel free to reach out with any questions.

Sincerely,

  
Kate Moore (May 4, 2022 12:57 CDT)

Kate Moore  
VP of Strategic Planning and Partnerships

---

May 4, 2022

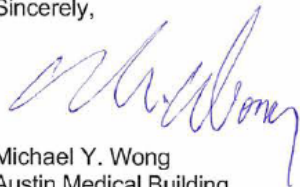
RE: Zoning Case #C14-2022-0019.SH for Cady Lofts Project (1004-1008 E 39<sup>th</sup> Street)

To whom it may concern:

I am writing this letter to voice my support of the zoning change proposed at 1004-1008 E 39<sup>th</sup> Street, Austin, TX 78751 and the Cady Lofts Project. This affordable housing is much needed, and would be an asset to the neighborhood and this part of Austin.

I represent the property owner of the: Austin Medical Building, 1009 E. 40<sup>th</sup> St., its back parking located at 1010 E. 39<sup>th</sup> St.; and 1007 E. 40<sup>th</sup> St., occupied by Stepping Stone School, all of which are contiguous to the site being discussed.

Sincerely,



Michael Y. Wong  
Austin Medical Building  
RMM Family Partnership, LP

701 Texas Ave  
Austin TX 78705

1 May 2022

Ms. Maureen Meredith  
Senior Planner/Case Manager  
City of Austin Planning and Zoning

Dear Ms. Meredith:

I write to ask you to answer critical remaining questions about the proposed housing project at 39<sup>th</sup> St. and IH-35 before the city council takes any vote to approve it.

An online search indicates that the Cady Lofts application has been pending since 2020, with three iterations, but our neighborhood only recently learned about it. Why weren't we included in planning from the very beginning so that any concerns we might have could be discussed, addressed and resolved? Have all the legal requirements for local and state review boards been met?

This neighborhood was already forced to give up twenty-two acres for the Concordia PUD. We were told that its substantial acreage required special planning so that uses, amenities and green space could be carefully planned. But then the promoter was convicted of fraud and then the city let tracts be developed one by one with no further neighborhood involvement, so we were simply left with canyons of expensive apartments and street traffic gridlock. Protected trees were not saved. We did not get the promised useful commercial venues serving essential needs that would eliminate car trips, such as Trader Joe's (or the Porsche dealership) that were dangled in front of us. We did not get any affordable housing. Why weren't some of those twenty-two acres that required such intensive zoning used for assisted living near St. David's Hospital, student housing by the UT campus, or affordable housing period?

No other neighborhood in this city has given up a bigger tract for development without it somehow improving the neighborhood, so why should we acquiesce to this proposal now without adequate planning--- unless for you, our city officials, it doesn't really matter if development is properly and well-planned?

I'm not against housing low-income or homeless people here, but you don't solve someone's problems simply by sticking them in a room. Other than identifying a site, and chasing funds, I haven't read what specific needs residents will have, and how, specifically, they will have access to resources. Public transit in this area is woefully inefficient and drivers regularly ignore pedestrians, especially along Red River St., so it is unlikely that even the most basic transit and safety needs of the Cady Lofts residents will be met.

In the recent past, homeless people and residents of halfway houses have accosted area neighbors, (sometimes threateningly), especially around Hancock Center and along Red River St. What can (or should) we anticipate if one hundred more needy people move into the area?

Planning-wise, if you're going to locate this multi-story building right next to single-family homes, we need a buffer of some kind to successfully integrate the project into the neighborhood, a green space, even a sustainable green wall on the building itself—would provide that buffer, while promoting mental health, provide additional drainage, and reduce heat. Nothing like that has been suggested, much less agreed to, in writing.

Neighbors have now been told that owners of other nearby tracts are considering Affordability Unlocked status (I note, not any tract in the Concordia PUD however), so is this latest application review simply one more step to wipe out the established single-family homes and trees of this area?—essentially, signaling that our entire neighborhood is expendable?

Without the city providing written answers to the planning questions I've raised and assurances that our neighborhood will be preserved, I object to the city's plan for our neighborhood to sacrifice any more acreage just so a developer can put money in its pocket, without regard to the project's sufficiency for its prospective residents, much less for surrounding neighbors.

Sincerely,

Barbara Epstein  
512-476-5391



Victoria Carpenter, AIA, RID  
3909 Becker Ave.  
Austin, TX 78751  
(804) 836-4047  
[victoria.scott.carpenter@gmail.com](mailto:victoria.scott.carpenter@gmail.com)

April 8, 2022

Maureen Meredith  
Senior Planner/Case Manager  
City of Austin Planning and Zoning  
(512) 974-2695  
[Maureen.meredith@austintexas.gov](mailto:Maureen.meredith@austintexas.gov)

RE: Plan Amendment Case #: NPA-2022-0019.01.SH  
Zoning Case #: C14-2022-0019.SH  
Property addresses: 1004-1006 E. 39th Street (0.736acres)

Maureen,

Thank you for collecting feedback from interested parties related to the proposed planning amendment.

You don't know me, so I'd like to offer a few qualifiers:

- My husband and I live within 500 feet of the property in question in our first home.
- I am a Texas architect.
- I myself was a Smart Housing resident between 2015 and 2020.
- I was once a representative of a re-zoning case to the Bouldin Creek NA Zoning Committee that received a unanimous favorable vote.
- I am generally in favor of progressive planning and development. And I have never spoken in opposition before.

I would like to express my opposition to this planning amendment application, first and foremost because the application is mis-represented, and furthermore because the proposed planning amendment is out of question without further planning evaluation especially for a project that frankly doesn't need it.

First:

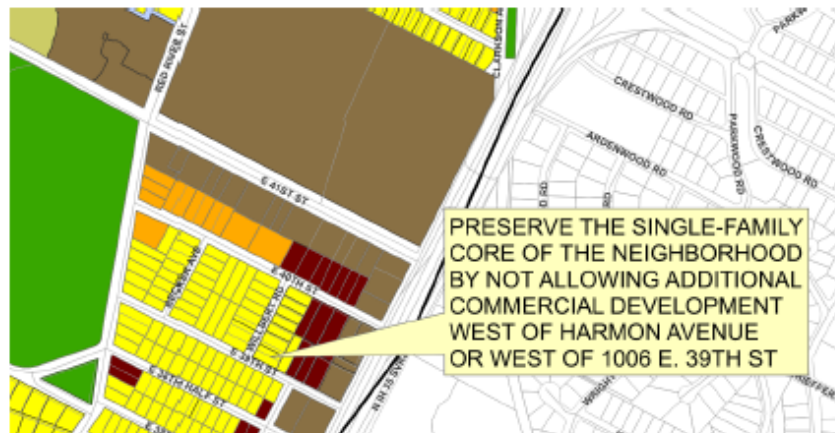
The applicant has stated in their application that this project has been preliminarily approved as an Affordability Unlocked Type 2 project. The applicant is at fault of two eligibility requirements of Type 2 development:

- "At least 50 percent of the affordable dwelling units include two or more bedrooms" (§25-1-722-C-1). The applicant has clearly stated and filed with TDHCA that the project will consist of 100% efficiency units.
- "Is located within ¼ mile of an activity corridor designated in the Imagine Austin Comprehensive Plan..." (§25-1-722-C-4). The location is a half mile away from Airport Boulevard which is the nearest corridor, and that's if you could physically walk there at either of the inaccessible highway crossings at 38<sup>th</sup> Street or at the old Sears.

Further:

- 1) It is inappropriate to consider a planning amendment, let alone a zoning change to the highest intensity Multi-Family zoning, that is so explicitly against the direction set by the City of Austin FLUM (updated 11/17/2020) and the Neighborhood Plan Recommendations and Action Plan (RE: Recommendation 25 and Action Item 1.11.25) without at least re-visiting the comprehensive small area planning efforts that developed that specific direction. The applicant has not addressed this question and has not offered any accommodations to evaluate the planning impacts of this change or take action to protect the intention of the City of Austin's plan.

FLUMs do not typically provide specific written limitations to changes in zoning, as this one does on the exact properties in question.



- 2) Affordability Unlocked is an aggressive bonus program. It enables Commercial and Mixed-use zoned properties to be developed unencumbered by otherwise very restrictive Compatibility Standards, and it enables even the most restrictive Single-Family zoned properties to be developed to a maximum of 52.5FT height. What Affordability Unlocked specifically does not grant is any exception to Impervious Cover limitations set by the base zoning (§25-2-534-H). We have heard from the applicant that the zoning change is being requested due to Impervious

---

Cover limitations. This is explicitly against the intention and direction set forth in the Affordability Unlocked Bonus Program.

- 3) With my brief but professional understanding of this site and the applicant's proposed development, the goal to provide a mid-intensity development of affordable housing units on this site would be achievable via the Affordability Unlocked Bonus Program without a change in zoning. This applicant could even build beyond their proposed building under their current rights through the current entitlements of the properties to serve more people in need. If they can not solve for their goals on this site then it is the wrong site.

So I question:

What good are our planning documents, tools, and processes if we consider applications that are in such disrespect of the intentions they protect? The proposed project is not in the best interest of my neighborhood community, of the City of Austin, or of the low-income residents it is meant to serve. An MF-6 zoning change is an easy way out for the applicant, at a high price to the City of Austin's comprehensive planning efforts, and at a high risk to our neighborhood. I urge you to recommend against this application. We all deserve better than this.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria Carpenter', with a long horizontal line extending to the right.

Victoria Carpenter, AIA, RID

**From:** noreply@coadigital.onbehalfof.austintexas.gov  
<noreply@coadigital.onbehalfof.austintexas.gov>  
**Sent:** Monday, May 2, 2022 4:07 PM  
**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>  
**Subject:** Comments due to Planning and Zoning Commission in re: Cady Lofts

This message is from David S Guarino.

To the members of the Austin Planning and Zoning Commission:

I oppose the current application for a zoning variance for the proposed Cady Lofts housing complex on East 39th Street ,and support the proposed Lancaster housing complex in the Windsor Park Neighborhood.

I am concerned that pressing forward with the Cady Lofts project at this time could lead to the loss of one or both of these projects. It is my understanding that the State of Texas will not grant needed tax breaks to more than one supportive housing project in the same year if they are within two miles of each other, as is the case with these two proposed projects.

Of the two, the proposed Lancaster project enjoys the support of the Windsor Park Neighborhood Association, is being pursued under the auspices of a low cost housing developer and project manager with established track records in Austin, and is further along in its development process. It offers a more compatible fit with a family oriented neighborhood by providing supportive housing for women and children, including those living in family groups.

By contrast, the Cady Lofts project will be developed under the auspices of a non-profit new to Austin, and would provide housing only for single adults, despite being within easy walking distance of daycares and elementary schools. The unfortunate timing of this application also puts it in direct contention with the Lancaster project for state tax benefits, that at best will cost Austin one worthy project, and at worst, both of them.

Cady Lofts is also requesting a change in zoning, although project developers say the current zoning is sufficient for the proposed project. What happens to the property if the zoning variance is granted, and the project falls through? Will that bring disruptive change to the quiet family neighborhood that exists there now?

For these reasons, it would be best if the zoning variance is denied. If the project is indeed worthwhile, and can be modified to welcome families as well as single adults, perhaps it can be pursued at a more auspicious time when the project is more likely to result in success without endangering another, perhaps more worthwhile, project.

thank you for your consideration. David Guarino

605 East 38th Street

District 9

Austin, TX 78705

\*\*\* External Email - Exercise Caution \*\*\*

Maureen Meredith  
Senior Planner/Case Manager  
City of Austin Planning and Zoning (512) 974-2695 [Maureen.meredith@austintexas.gov](mailto:Maureen.meredith@austintexas.gov)

RE: Plan Amendment Case #: NPA-2022-0019.01.SH Zoning Case #: C14-2022-0019.SH Property addresses: 1004-1006 E. 39th Street (0.736) acres

I am a resident of the Hancock Neighborhood Association. I'm writing to oppose the Cady Lofts proposal for a zoning change.

The best option for the Hancock residents will be a vote for no zoning change so there is a buffer for the existing residents that will be the most impacted.

My concerns regarding the higher zoning is that the Affordability Unlock on a MF-6 could allow 135' and more impervious cover.

Cady Lofts told the HNA in a presentation a few weeks ago that they could build on the current zoning.

The lower zoning advantage for our neighborhood is 60' and less impervious cover.

A better outcome for this potential project will foster a more balanced community.

Thank you for your consideration.

Respectfully,  
Linda H. Guerrero



### PUBLIC HEARING COMMENT FORM

If you use this form to comment, it may be submitted to:

City of Austin  
Housing and Planning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

**Case Number:** NPA-2022-0019.01.SH

**Contact:** Maureen Meredith, Ph: 512-974-2695 or  
Maureen.Meredith@austintexas.gov

**Public Hearing:** May 10, 2022 - Planning Commission

Elisa Racanelli

Your Name (please print)

☐ I am in favor  
☒ I object

1001 East 39th Street, Austin, 78751  
Your address(es) affected by this application

Elisa Racanelli

Signature

05/02/22  
Date

Comments: Changing the land use designation will cause incompatible structures to be built in our established neighborhood and create excessive density of unhoused individuals amongst two daycares (one across the street and one behind the proposed structure). Please do not approve the land use change!

-----Original Message-----

From: Mary Ann Osborne

Sent: Tuesday, May 3, 2022 12:17 PM

To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>

Subject: Cady Loft email

Mary Ann Osborne  
512 E. 39th St  
Austin, TX 78751

May 3, 2022

Maureen Meredith  
Senior Planner/Case Manager  
City of Austin Planning and Zoning  
(512) 974-2695  
[Maureen.meredith@austintexas.gov](mailto:Maureen.meredith@austintexas.gov)

RE: Plan Amendment Case #: NPA-2022-0019.01.SH

Zoning Case #: C14-2022-0019.SH

Property addresses: 1004-1006 E. 39th Street (0.736) acres

Ms. Meredith,

I am writing as a member of the Hancock Neighborhood to express my support for public supportive housing but not the Cady Lofts proposal. There is a better option, Lancaster, which is in a more appropriate development area and has neighborhood support. I hope Austin will move forward in a progressive but responsible way, meeting needs while also maintaining respect for neighborhoods. Thank you for your consideration.

Best regards,  
Mary Ann Osborne

Joshua Ellinger  
925 E 39TH ST  
512-619-7523

May 3, 2022

Maureen Meredith  
Senior Planner/Case Manager  
City of Austin Planning and Zoning  
(512) 974-2695  
Maureen.meredith@austintexas.gov

RE: Plan Amendment Case #: NPA-2022-0019.01.SH  
Zoning Case #: C14-2022-0019.SH  
Property addresses: 1004-1006 E. 39th Street (0.736) acres

Maureen,

My name is Joshua Ellinger. I am a property owner near the proposed Cady Lofts development. I grew up in Clarksville, graduated from Austin High, got an EE degree from UT, and settled in East Hancock with my wife Angela. Our son Sam was born at home in 2010.

We could afford to buy a house in West Austin but we want our son to have friends from all walks of life like I did when I was growing up. We are unwilling to go further east because we don't want to be part of the gentrification of East Austin. Hancock is the right home for us.

**I oppose Cady Lofts in its current form.**

I support PSH housing and affordable housing. I support it near me even. But we can do so much better than what is currently proposed, at next to zero real cost.

I have already made my case against the development in the presentation I've sent to you and the planning commission so I am going focus on why the Planning Commission should delay the zoning case by 90 days.

At the heart of it, the developers are in a predicament of their own making and it does not serve the interests of anyone long-term to accommodate them. Developers need to learn that they can't wait until the last minute and then expected to wave the magic 'Affordability Unlocked' wand to make their zoning issues go away. So long as they are allowed to bypass necessary negotiation, they will face fierce opposition from the neighborhoods and it will actually take longer to build PSH than a more neighborhood-engaged approach would. There is a surprising amount of good will around here for PSH and affordable housing but tactics like this destroy it.

For the Planning Commission, this is a simple decision.

The Planning Commission has a duty to understand what a development proposes to build, why they need the requested change, and weight the interests of the City of Austin for more housing against its commitments to the neighborhood enshrined in the neighborhood plan. Otherwise, you cannot provide informed advice to the Council and all your hard work is merely window dressing on a for-show process.

On March 20<sup>th</sup>, in a meeting with the neighborhood association, the developer proposed two new designs, one of which did not require a zoning change. *Thus, they do not need this zoning change to build.* The developer has indicated that your staff has not seen either of the two proposed plans and, indeed, that you did not need to see any plans to decide on the zoning case.

The differences between the three designs are enormous. Almost every design parameter you consider is different – from setbacks to impervious cover to number of floors to height. At this point, you don't know what they will build and there is no way for any of us to know until August because their design is locked with the State.

Thus, it would be a waste of your time to postpone for less than ninety days. *The only way we can figure what they actually need is to force them to drop out of the current funding cycle so we can complete the negotiations that started in mid-March.*

The City Council would be in not better shape to look at this than you are and their schedule is even more burdened than yours. Instead of dumping it in their lap, you should take the simple route – vote for a delay to protect the Council's time. It's a natural and appropriate consequence of prior lack of urgency from the developers and sends the message that your process and the City's time matter.

This delay will reset the clock. It will remove the development from the current funding cycle and give us time to come up with something better. It benefits all parties – us, the City, the future tenants, and even the developers – in the long run.

For ourselves, we get a revised project that integrates with the neighborhood.

For the City, we get The Lancaster immediately, a better development that supports women and children escaping violence. In the long run, we get a district plan rather than ad-hoc projects.

For the future tenants, we get a project funded by City bond money which will enable a significantly lower rent. This matters because being inefficient leaves more people on the streets.

For the developers, they will likely get a project that will be better for them in ways that we can't explore right now. They cannot look for a better future when they are trapped in an adversarial process.

I expect the developers will demand that you pass this on to the Council without giving it even the most cursory examination. I fail to see how a time crunch that was completely within their power to avoid is a justification for a bad process. A 'No recommendation' without looking at the details is not consistent with your mission.

With this fight behind us, we can build a better plan for East Hancock but we should not stop there. A PSH development located a single block west of I-35 is not a real 'win' for equity. We should work to dismantle the barriers that keep affordable housing concentrated in the East. We should not deprive the children of my high school classmates of the diversity that we enjoy here in Hancock.

Thank you for your consideration,

Joshua

**PUBLIC HEARING COMMENT FORM**

If you use this form to comment, it may be submitted to:

City of Austin  
Housing and Planning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

**Case Number:** NPA-2022-0019.01.SH

**Contact:** Maureen Meredith, Ph: 512-974-2695 or

Maureen.Meredith@austintexas.gov

**Public Hearing:** May 10, 2022 - Planning Commission

Scott Carmichael

Your Name (please print)

☐ I am in favor  
☒ I object

Your address(es) affected by this application

Scott Carmichael

Signature

5/1/22

Date

Comments: Infrastructure cannot  
support this.



Victoria Carpenter, AIA, RID  
3909 Becker Ave.  
Austin, TX 78751  
(804) 836-4047

May 17, 2022

Maureen Meredith  
Senior Planner/Case Manager  
City of Austin Planning and Zoning  
(512) 974-2695  
Maureen.meredith@austintexas.gov

RE: Plan Amendment Case #: NPA-2022-0019.01.SH  
Zoning Case #: C14-2022-0019.SH  
Property addresses: 1004-1006 E. 39th Street (0.736 acres)

Maureen,

Thank you for collecting feedback from interested parties related to the proposed planning amendment. Please accept the below feedback as an amendment to my previous letter dated April 8, 2022.

Updates/corrections:

- 1) I had stated that the applicant is at fault of eligibility requirements for an Affordability Unlocked Type 2 project under §25-1-722-C-1 and §25-1-722-C-4. I now understand that sub-section C is written as an either/or requirement, and the proposed project is likely eligible via §25-1-722-C-2
- 2) I understand that the applicant and the Planning Commission are now considering a revised proposed zoning change to MF-4-NP.

Additional statements:

- 1) Because the Affordability Unlocked ordinance includes exceptions to density requirements and because of the applicant's proposed building design, the revised proposed zoning does not represent any change to the proposed project in massing or density. A zoning change to MF-4 should be considered as equally intensive as MF-6 for the purpose of this project.

- 2) I will restate my position that with the intensity of a multi-family up-zoning, and the aggressive density bonuses of the Affordability Unlocked ordinance, a reasonable project should not require the use of both tools to achieve its goals.
- 3) I'd like to offer some further details about the context of this site:

At 100 residents on a .736 acre property, this project represents a density of 135 units per acre. This is directly adjacent to single-family properties with an average density of about 6 units per acre. The immediate neighborhood (38<sup>th</sup> Street to Red River Street to 40<sup>th</sup> Street to IH-35) represents only about 100 families. The adjacent commercial uses include an empty parking lot, a branch bank, a daycare, a gas station, and a pediatric medical office building. This residential and commercial context does not represent enough density, mix of uses, or diurnal occupants to exercise passive "eyes on the street" community safety. The applicant has stated that their supportive housing programming includes security management, but this is not enough to protect and support the residents and neighbors alike. We know how Austin feels about over-policing based on recent public votes. I want a community that is safe because it is friendly and understanding and watchful of each other. Imagine the success of a project like this and the recovery of its residents if it was in the context of a mixed-use, mid-intensity TOD or PUD.

The applicant has stated that its residents include people who have physical disabilities. At the same time, the TDHCA application process and the Imagine Austin vision of a "compact and connected" community value this site's proximity to the transit center at Hancock Center and surrounding public transit options. Did you know that there is not an accessible public route from this site to any transit stop in the neighborhood? 39<sup>th</sup> Street to the east of the site is a 50ft ROW local street with two-way traffic, uncontrolled parking on both sides, frequent curb cuts, and no sidewalks, and no current or improvement classification on ASMP. If you tried to walk along 39<sup>th</sup> St to the west and turn north on the IH35 Frontage Road, you would find the sidewalk ends after the Bank of America in a crumbling asphaltic mess. How does this project with these residents make sense in a location where there is limited and unsafe mobility infrastructure? And frankly not much hope for improvement based on the long-neglected and still unresolved conditions throughout our city's neighborhoods.

This proposal would be significantly more sensible if it was even just two blocks north and within or adjacent to the Hancock Center. This location could accommodate for a more gentle escalation of density within the neighborhood given the multiple MF uses along 41<sup>st</sup> Street and a higher concentration of population for passive safety. It would also provide direct and safe access to transit, a grocery store, and community services, as well as vast potential for more with the redevelopment potential of the old Sears.

I understand it's not realistic to expect the applicant to be able to just move their proposal to another site, but that is exactly why we develop planning and zoning tools. So we can, collectively as a city and a community, imagine what we want the future of our built environment to look like, commit it to policy, and be prepared to react appropriately to opportunities and proposals. As a city, we are in a bad position right now with regards to homelessness and affordability and we need solutions. We need

smart, forward-thinking, long-range planning to solve this problem. The plan amendment and zoning change impacts for this project on this site are under-considered and deserve further planning attention before a decision is rendered, including immediate mobility improvement needs and what a future mix of uses would look like and how that would support a healthy and diverse community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria Carpenter', with a long horizontal flourish extending to the right.

Victoria Carpenter, AIA, RID

**Applicant's Outreach to the Neighborhood**

**From:** Alice Woods

**Sent:** Friday, April 29, 2022 5:04 PM

**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>

**Cc:** Megan Lasch; Sally Gaskin ; Abby Penner >

**Subject:** NPA-2022-0019.01.SH Cady Lofts - Supplemental Information

\*\*\* External Email - Exercise Caution \*\*\*

Maureen and Sherri,

On behalf of Megan Lasch, and regarding Case NPA-2022-0019.01.SH, please find attached a timeline and documentation of our engagement with the Hancock Neighborhood Association starting in January of this year, as well as support letters for this community from local nonprofits. Please confirm receipt of these items and let me know if you have questions or if there is anything further we can provide at the moment.

Thanks and have a great weekend.



**ALICE WOODS**

**Development Associate**

Saigebrook Development | O-SDA Industries

[AWoods@saigebrook.com](mailto:AWoods@saigebrook.com) | C: 314.540.5355

5501-A Balcones Dr. #302 Austin, TX 78731



#### Cady Lofts Neighborhood Engagement Timeline

January 7	Official notice sent to Hancock Neighborhood Association, CANPAC, Central Austin CDC, Preservation Austin, North Austin Neighborhood Alliance
January 12	Meeting with Hancock Neighborhood Association Zoning Committee
February 2	Meeting with Hancock Neighborhood Association Zoning Committee
March 16	Full Hancock Neighborhood Association Meeting
April 7	Open Community Meeting Hosted by City of Austin
April 20	Full Hancock Neighborhood Association Meeting
May 16	Meeting with CANPAC (Planned)



**From:** Alice Woods  
**To:** Lisa Stephens  
**Bcc:** sarah.eckhardt; gina.hinojosa; stephanie.elizalde  
 superintendent; geronimo.rodriguez; trustees  
 Andy Brown; Judge; Jeffrey Travillion  
 Comm2; Brigid Shea; Ann Howard  
 Precinct3 Constituents; Margaret Gomez; steve adler  
 mayor adler; Natasha Medlock; district1  
 vanessa.fuente; district2; sabino.renteria  
 district3; gregorio.casas; district4  
 ann.kitcher; district5; mackenzie.kelly  
 district6; leslie.pool; district7; peige.ellis  
 district8; kathie.tova; district9  
 Alison.Alter; district10; coan.dillahunty  
 smorris; info; adam.stephens  
 carped; austinchip; lindsey

**Subject:** Cady Lofts TDHCA Application Notification  
**Date:** Thursday, January 6, 2022 1:22:00 PM  
**Attachments:** Image001.png

Dear Official:

Cady Lofts, LLC is making an application for the Housing Tax Credit Program and possibly the Multifamily Direct Loan Program with the Texas Department of Housing and Community Affairs (TDHCA) for Cady Lofts to be located at the NWQ of E 39th St and N IH 35, Austin, TX 78751 in Travis County. The residential density of the Development, i.e., the number of Units per acre, is estimated at a maximum of 176.6. This proposed new construction development is an apartment community that will be a maximum of 130 units of which 120 units will be reserved for residents at or below 60% of Area Median Income or averaging up to 60% of Area Median Income. The proposed development will serve permanent supportive housing residents.

In the spring, TDHCA will hold public hearings in various locations around the state or virtually to gather input on Competitive Housing Tax Credit applications. The hearing schedule along with contact information for written public comment will be posted on TDHCA's Public Comment Center website (<http://www.tdhca.state.tx.us/public-comment.htm>) later this year. An interested party or Neighborhood Organization can provide comments on any and all applications at each hearing, or can provide written comments to the Department by email at [HTCPC@tdhca.state.tx.us](mailto:HTCPC@tdhca.state.tx.us), or by mail at: Texas Department of Housing and Community Affairs, Public Comment - Multifamily Finance Division, P.O. Box 13941, Austin, TX 78711-3941.

Note that in order for input on Competitive Housing Tax Credit applications to be included in the materials relating to presentation for awards to be provided to the Governing Board of TDHCA, such input must be received by TDHCA by 5:00 p.m., Austin TX local time, on June 1, 2022.

Sincerely,

Lisa Stephens  
 Consultant, Saigebrook Development LLC  
 Representative for Cady Lofts, LLC  
 5501-A Balcones Dr. #302  
 Austin, TX 78731  
 Phone: (352) 213-8700

**Alice Woods**

---

**From:** Alice Woods  
**Sent:** Friday, January 7, 2022 4:41 PM  
**To:** coan.dillahunty [REDACTED]  
**Cc:** Megan Lasch; Sally Gaskin  
**Subject:** Request for Meeting with Hancock Neighborhood Association re Cady Lofts

Dear Mr. Dillahunty,

As you may have received an official notice for yesterday, our development team will be submitting a 9% Housing Tax Credit application to TDHCA for Cady Lofts, a proposed mixed-income and supportive housing community to be located at 1004-1008 E 39<sup>th</sup> St.

SGL Ventures, O-SDA Industries, and Saigebrook Development have a proven track record of building high quality mixed-income housing throughout Austin. We will be collaborating with other community leaders in supportive housing to provide onsite services for our residents at this community. You can see some of our recent work in Austin at [www.affordablehousingtexas.com](http://www.affordablehousingtexas.com).

We would love to schedule a virtual meeting with the Hancock Neighborhood Association to discuss the project, and get the neighborhood's input on what they would like to see at this site.

Please let me know what your availability is for a remote meeting to discuss Cady Lofts next week, and we will get something set up via Zoom. We're looking forward to talking further with you and your neighborhood association.



**ALICE WOODS**  
Development Associate  
Saigebrook Development | O-SDA Industries  
[AWoods@saigebrookdevelopment.com](mailto:AWoods@saigebrookdevelopment.com) | C: 314.540.5355  
5501-A Balcones Dr. #302 Austin, TX 78731

From: [Coan Dillahunt](#)  
 To: [Alice Woods](#)  
 Cc: [Megan Lasch](#); [Sally Gaskin](#); [Hugh Bender](#); [Bart Whatley](#)  
 Subject: Re: Request for Meeting with Hancock Neighborhood Association re Cady Lofts  
 Date: Monday, January 10, 2022 10:56:26 AM  
 Attachments: [image001.png](#)

---

Hello Alice,

I've confirmed with our committee members that a Zoom at 5 pm on Wednesday works for us. Please go ahead and set up the zoom meeting for us.

Best regards,

Coan Dillahunt

On Mon, Jan 10, 2022 at 9:25 AM Alice Woods <[AWoods@saigebrook.com](#)> wrote:

Mr. Dillahunt,

Thanks so much for getting back to me. 5pm on Wednesday evening works for us, though we would prefer a virtual meeting if possible. If that works for you all, I will send out a Zoom invitation.

Best,



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
[AWoods@saigebrook.com](#) | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

From: Coan Dillahunt <[coan.dillahunt@gmail.com](#)>  
 Sent: Monday, January 10, 2022 9:21 AM  
 To: Alice Woods <[AWoods@saigebrook.com](#)>  
 Cc: Megan Lasch <[megan@o-sda.com](#)>; Sally Gaskin <[Sally@saigebrook.com](#)>; Hugh Bender <[hbender@saigebrook.com](#)>; Bart Whatley <[bart.whatley@gmail.com](#)>  
 Subject: Re: Request for Meeting with Hancock Neighborhood Association re Cady Lofts

## Alice Woods

**Subject:** Cady Lofts / Hancock Neighborhood Association Meeting  
**Location:** <https://us02web.zoom.us/j/89030919250?pwd=d3BQUmFvbnErN21KbnJrbXVVeit2UT09>  
**Start:** Wed 1/12/2022 5:00 PM  
**End:** Wed 1/12/2022 6:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** Alice Woods  
**Required Attendees:** Megan Lasch; Sally Gaskin; Coan Dillahunt; Hugh Bender; Bart Whatley  
**Optional Attendees:** Abby Penner; Meesha Afkani  
**zmMeetingNum:** 89030919250

Alice Woods is inviting you to a scheduled Zoom meeting.

### Join Zoom Meeting

<https://us02web.zoom.us/j/89030919250?pwd=d3BQUmFvbnErN21KbnJrbXVVeit2UT09>

Meeting ID: 890 3091 9250

Passcode: Cady

One tap mobile

+13462487799,,89030919250#,,,,\*540613# US (Houston)

+12532158782,,89030919250#,,,,\*540613# US (Tacoma)

Dial by your location

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

+1 669 900 9128 US (San Jose)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 890 3091 9250

Passcode: 540613

Find your local number: <https://us02web.zoom.us/j/89030919250?pwd=d3BQUmFvbnErN21KbnJrbXVVeit2UT09>

**Alice Woods**

**Subject:** Hancock NA + Cady Lofts Discussion  
**Location:** <https://us02web.zoom.us/j/88382664655?pwd=amQ3M1c3Q2xRcjRVR1VleJlKSUdrZz09>  
**Start:** Wed 2/2/2022 4:00 PM  
**End:** Wed 2/2/2022 4:30 PM  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** Alice Woods  
**Required Attendees:** Megan Lasch; Sally Gaskin; Hugh Bender; coan.dillahunty; Bart Whatley; emily; joy  
**zmMeetingNum:** 88382664655

Alice Woods is inviting you to a scheduled Zoom meeting.

**Join Zoom Meeting**

<https://us02web.zoom.us/j/88382664655?pwd=amQ3M1c3Q2xRcjRVR1VleJlKSUdrZz09>

Meeting ID: 883 8266 4655

Passcode: Cady

One tap mobile

+13462487799,,88382664655#,,,,\*803051# US (Houston)

+16699009128,,88382664655#,,,,\*803051# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 883 8266 4655

Passcode: 803051

Find your local number: <https://us02web.zoom.us/j/k7IRlw5rn>



---

**From:** [Alice Woods](#)  
**To:** [lguerrero@...](#); [Hugh Bender](#); [coen.dillahunty@...](#); [Bart Whitley](#)  
**Cc:** [Sally Gaskin](#); [Megan Leisch](#); [emily@...](#)  
**Subject:** Cady Lofts  
**Date:** Wednesday, February 2, 2022 4:35:00 PM  
**Attachments:** [image001.png](#)

---

Thank you all for making the time to meet with us. Please find our presentation at this link for your review:

<https://www.dropbox.com/s/oxq1tm9j1mrc5bo/Cady%20Lofts%20Presentation%2020111.pdf?dl=0>

Our timeline is as follows:

- February 3 – City Council will consider a resolution of general support for the project
- We will submit our zoning application and neighborhood plan amendment during February
- March 1 – We submit our application for funding of the project to the state
- A zoning hearing will likely take place during April or May, and we must have our zoning finalized no later than August.
- Final funding awards take place in July

Please don't hesitate to reach out to me with any questions as they come up. Talk soon!



**ALICE WOODS**  
Development Associate  
Saigebrook Development | O-SDA Industries  
[AWoods@...](#) | C: 314.540.5355  
5501-A Balcones Dr. #302 Austin, TX 78731

**Alice Woods**

**From:** Alice Woods  
**Sent:** Tuesday, February 8, 2022 2:30 PM  
**To:** lhguerrero9 [REDACTED]; Hugh Bender; coan.dillahunty [REDACTED]; Bart Whatley; mebaneaustin [REDACTED]  
**Cc:** Sally Gaskin; Megan Lasch  
**Subject:** RE: Cady Lofts  
**Attachments:** Cady Lofts Draft Resolution 220203.pdf; Cady Lofts Agenda Recommendation 220203.pdf; Austin City Council Action 220203.pdf

Hello Hancock NA Zoning Committee,

I want to keep everyone updated and let you know that Cady Lofts received City Council support at the Feb 3 council meeting. I have attached the draft resolution (which has now passed), as well as the backup information that staff gave to council when recommending support for the project, and the actions taken at the meeting (Cady was Item 22). Please let me know if you have any questions about the attached information or the project in general.

Best,



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 AWoods [REDACTED] | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

**From:** Alice Woods  
**Sent:** Wednesday, February 2, 2022 4:35 PM  
**To:** lhguerrero9 [REDACTED]; Hugh Bender <[REDACTED]>; coan.dillahunty [REDACTED]; Bart Whatley <bart.whatley [REDACTED]>  
**Cc:** Sally Gaskin <[REDACTED]>; Megan Lasch <[REDACTED]>; emily [REDACTED]  
**Subject:** Cady Lofts

Thank you all for making the time to meet with us. Please find our presentation at this link for your review:  
<https://www.dropbox.com/s/oxq1tm9j1mrc5bo/Cady%20Lofts%20Presentation%20220111.pdf?dl=0>

Our timeline is as follows:

- February 3 – City Council will consider a resolution of general support for the project
- We will submit our zoning application and neighborhood plan amendment during February
- March 1 – We submit our application for funding of the project to the state
- A zoning hearing will likely take place during April or May, and we must have our zoning finalized no later than August.
- Final funding awards take place in July

Please don't hesitate to reach out to me with any questions as they come up. Talk soon!

## Alice Woods

---

**From:** Alice Woods  
**Sent:** Thursday, February 17, 2022 11:19 AM  
**To:** lhguerrero9 [REDACTED]; Hugh Bender; coan.dillahunty [REDACTED]; Bart Whatley; mebaneaustin [REDACTED]  
**Cc:** Sally Gaskin; Megan Lasch  
**Subject:** RE: Cady Lofts

Hello Hancock Neighborhood Association Zoning Committee,

I wanted to give everyone an update on the proposed Cady Lofts project: we have determined that we will have to do a FLUM amendment on all three lots, instead of only one, which we had originally discussed. We are not changing anything that we are proposing in terms of the development itself (height, density, etc.), we just received guidance that LO-MU needs to be modified for our proposed use.

We will plan to send you a site plan in the next week and will be happy to discuss further or answer any questions you may have at that point, but I wanted to keep you updated in the meantime, as this is a change from what we discussed at our last meeting.

Please feel free to reach out with any questions.

All the best,



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 AWoods [REDACTED] C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Alice Woods  
**Sent:** Tuesday, February 8, 2022 2:30 PM  
**To:** lhguerrero9 [REDACTED]; Hugh Bender <hbender [REDACTED]>; coan.dillahunty [REDACTED]; Bart Whatley <bart.whatley [REDACTED]>; mebaneaustin [REDACTED]  
**Cc:** Sally Gaskin <Sally.Gaskin@hcn.com>; Megan Lasch [REDACTED]  
**Subject:** RE: Cady Lofts

Hello Hancock NA Zoning Committee,

I want to keep everyone updated and let you know that Cady Lofts received City Council support at the Feb 3 council meeting. I have attached the draft resolution (which has now passed), as well as the backup information that staff gave to council when recommending support for the project, and the actions taken at the meeting (Cady was Item 22). Please let me know if you have any questions about the attached information or the project in general.

Best,

---

**Alice Woods**


---

**From:** Alice Woods  
**Sent:** Thursday, February 24, 2022 4:09 PM  
**To:** Hugh Bender  
**Cc:** Linda Guerrero; coan dillahunty; Bart Whatley; mebaneaustin; Sally Gaskin; Megan Lasch  
**Subject:** RE: Cady Lofts  
**Attachments:** aerialoverlay2a.jpg; Cady Lofts Elevation 220224.pdf

Hi Hugh,

Thanks for your patience. Please find attached a site plan for the combined three lots, and building elevations. Please feel free to give Megan, Sally, or I a call if you have any questions.



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 AWoods@saigebrook.com | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Hugh Bender <hbender@saigebrook.com>  
**Sent:** Wednesday, February 23, 2022 7:10 PM  
**To:** Alice Woods <AWoods@saigebrook.com>  
**Cc:** Linda Guerrero <lguerrero9@saigebrook.com>; coan dillahunty <cdillahunty@saigebrook.com>; Bart Whatley <bwhatley@saigebrook.com>; mebaneaustin <mebaneaustin@saigebrook.com>; Sally Gaskin <sgaskin@saigebrook.com>; Megan Lasch <mlasch@saigebrook.com>  
**Subject:** Re: Cady Lofts

Alice, please let us know how soon you can provide the information mentioned. We will have a zoning Committee mtg as soon as possible with plans on the HNA considering the **zoning change and FLUM amendments**. But we do have deadlines to notify neighbors. Look forward to receiving this info. Thanks Hugh

---

**From:** "AWoods" <AWoods@saigebrook.com>  
**To:** "Linda Guerrero" <lguerrero9@saigebrook.com>; "Hugh Bender" <hbender@saigebrook.com>; "coan dillahunty" <cdillahunty@saigebrook.com>; "Bart Whatley" <bwhatley@saigebrook.com>; "mebaneaustin" <mebaneaustin@saigebrook.com>  
**Cc:** "Sally Gaskin" <sgaskin@saigebrook.com>; "Megan Lasch" <mlasch@saigebrook.com>  
**Sent:** Thursday, February 17, 2022 11:18:59 AM  
**Subject:** RE: Cady Lofts

Hello Hancock Neighborhood Association Zoning Committee,

I wanted to give everyone an update on the proposed Cady Lofts project: we have determined that we will have to do a FLUM amendment on all three lots, instead of only one, which we had originally discussed. We are not changing anything that we are proposing in terms of the development itself (height, density, etc.), we just received guidance that LO-MU needs to be modified for our proposed use.

## Alice Woods

---

**From:** Alice Woods  
**Sent:** Tuesday, March 1, 2022 4:39 PM  
**To:** Hugh Bender  
**Cc:** Linda Guerrero; coan dillahunty; Bart Whatley; mebaneaustin; Sally Gaskin; Megan Lasch  
**Subject:** RE: Cady Lofts

Hi Hugh,

I wanted to make sure that this was all received. I also wanted to confirm that your next neighborhood meeting is scheduled for March 16? Will this be a virtual or in-person meeting?

Thanks,



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
[AWoods](#) | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Alice Woods  
**Sent:** Thursday, February 24, 2022 4:09 PM  
**To:** Hugh Bender <[REDACTED]>  
**Cc:** Linda Guerrero <[REDACTED]>; coan dillahunty <[REDACTED]>; Bart Whatley <[REDACTED]>; mebaneaustin <[REDACTED]>; Sally Gaskin <[REDACTED]>; Megan Lasch <[REDACTED]>  
**Subject:** RE: Cady Lofts

Hi Hugh,

Thanks for your patience. Please find attached a site plan for the combined three lots, and building elevations. Please feel free to give Megan, Sally, or I a call if you have any questions.



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
[AWoods](#) | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Hugh Bender <[REDACTED]>  
**Sent:** Wednesday, February 23, 2022 7:10 PM  
**To:** Alice Woods <[REDACTED]>  
**Cc:** Linda Guerrero <[REDACTED]>; coan dillahunty <[REDACTED]>; Bart Whatley <[REDACTED]>; mebaneaustin <[REDACTED]>; Sally Gaskin <[REDACTED]>; Megan Lasch <[REDACTED]>  
**Subject:** Re: Cady Lofts



---

**Alice Woods**


---

**From:** Alice Woods  
**Sent:** Wednesday, March 2, 2022 9:17 AM  
**To:** Hugh Bender  
**Cc:** Linda Guerrero; coan dillahunty; Bart Whatley; mebaneaustin; Sally Gaskin; Megan Lasch; Abby Penner  
**Subject:** RE: Cady Lofts

Hi Hugh,

The westernmost of the three sites is zoned SF-3-NP, the other two are zoned LO-MU-NP. We are seeking a zoning designation of MF-6-NP on all three sites. This is not a change in density or height from what we originally proposed, but we ran into a building coverage conflict, which is why we are seeking this new zoning category for all three lots instead of staying with LO-MU.

Please let me know if any further clarification is needed.



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 AWoods@saigebrook.com | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Hugh Bender <[REDACTED]>  
**Sent:** Tuesday, March 1, 2022 5:11 PM  
**To:** Alice Woods <[REDACTED]>  
**Cc:** Linda Guerrero <[REDACTED]>; coan dillahunty <[REDACTED]>; Bart Whatley <[REDACTED]>; mebaneaustin <[REDACTED]>; Sally Gaskin <[REDACTED]>; Megan Lasch <[REDACTED]>  
**Subject:** Re: Cady Lofts

Alice, one item we do need is a letter (email) with your zoning and neighborhood requesting the current designations and what you are requesting. I can post the PPT and other docs on our site unless you want to provide other info. Thanks Hugh

---

**From:** "Hugh Bender" <[REDACTED]>  
**To:** "AWoods" <[REDACTED]>  
**Cc:** "Linda Guerrero" <[REDACTED]>, "coan dillahunty" <[REDACTED]>, "Bart Whatley" <[REDACTED]>, "mebaneaustin" <[REDACTED]>, "Sally Gaskin" <[REDACTED]>, "Megan Lasch" <[REDACTED]>  
**Sent:** Tuesday, March 1, 2022 4:59:55 PM  
**Subject:** Re: Cady Lofts

That is the next meeting and I believe it will be virtual. We will have a zoning committee meeting prior and working to set that up. Hugh

---

**Alice Woods**


---

**From:** Hugh Bender <[REDACTED]>  
**Sent:** Thursday, March 3, 2022 7:33 AM  
**To:** Alice Woods  
**Cc:** Linda Guerrero; coan dillahunty; Bart Whatley; mebaneaustin; Sally Gaskin; Megan Lasch; Abby Penner  
**Subject:** Re: Cady Lofts  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Alice, thanks for the information. Given your timeline and the short time frame between getting the info and our next HNA meeting, we have decided to put you on the net HNA General Meeting agenda at 7pm as it is important to get this information out to the members quickly & correctly. Following that information meeting we will schedule the require Zoning & Development Committee Meeting. We will be in touch about the March 16th meeting details. Hugh

---

**From:** "AWoods" <[REDACTED]>  
**To:** "Hugh Bender" <[REDACTED]>  
**Cc:** "Linda Guerrero" <[REDACTED]>, "coan dillahunty" <[REDACTED]>, "Bart Whatley" <[REDACTED]>, "mebaneaustin" <[REDACTED]>, Sally Gaskin <[REDACTED]>, "Megan Lasch" <[REDACTED]>, "Abby Penner" <[REDACTED]>  
**Sent:** Wednesday, March 2, 2022 9:17:10 AM  
**Subject:** RE: Cady Lofts

Hi Hugh,

The westernmost of the three sites is zoned SF-3-NP, the other two are zoned LO-MU-NP. We are seeking a zoning designation of MF-6-NP on all three sites. This is not a change in density or height from what we originally proposed, but we ran into a building coverage conflict, which is why we are seeking this new zoning category for all three lots instead of staying with LO-MU.

Please let me know if any further clarification is needed.



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 AWoods[REDACTED] | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Hugh Bender <[REDACTED]>  
**Sent:** Tuesday, March 1, 2022 5:11 PM  
**To:** Alice Woods <[REDACTED]>  
**Cc:** Linda Guerrero <[REDACTED]>, coan dillahunty <[REDACTED]>, Bart Whatley <[REDACTED]>, mebaneaustin <[REDACTED]>, Sally Gaskin <[REDACTED]>, Megan

---

**Alice Woods**


---

**From:** Alice Woods  
**Sent:** Wednesday, March 16, 2022 4:27 PM  
**To:** Coan Dillahunt  
**Cc:** Hugh Bender; Linda Guerrero; Bart Whatley; mebaneaustin; Sally Gaskin; Megan Lasch; Abby Penner  
**Subject:** RE: Cady Lofts

Coan, please find the link to our presentation for tonight below:

<https://www.dropbox.com/s/vvjykdltzcfkqo/Cady%20Hancock%20Presentation%2020316.pptx?dl=0>



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 AWoods@saigebrook.com | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Coan Dillahunt <[REDACTED]>  
**Sent:** Wednesday, March 16, 2022 1:46 PM  
**To:** Alice Woods <[REDACTED]>  
**Cc:** Hugh Bender <[REDACTED]> Linda Guerrero <[REDACTED]> Bart Whatley <[REDACTED]>  
 mebaneaustin <[REDACTED]> Sally Gaskin <[REDACTED]> Megan Lasch <[REDACTED]> Abby Penner <[REDACTED]>  
**Subject:** Re: Cady Lofts

Hello Alice,

That sounds great. Will see you at the meeting today. Thanks again.

Best regards,

Coan

On Wed, Mar 16, 2022 at 11:05 AM Alice Woods <[REDACTED]> wrote:

Hi Coan,

Great, thank you.

We are still planning to send the presentation before the meeting but it might be later this afternoon- apologies we are still waiting on a couple of slides from our partners.

I will plan to control the slides for our team. Happy to jump on 5 minutes early to make sure all is working.

**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 [REDACTED]@saigebrook.com | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

**Alice Woods**

---

**Subject:** Hancock NA Meeting  
**Location:** <https://nasuni.zoom.us/j/99936179191?pwd=K3JMSjAvUzl5TDJLdVc2UVVRRUdXZz09&from=addon>  
**Start:** Wed 3/16/2022 7:00 PM  
**End:** Wed 3/16/2022 8:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** Alice Woods  
**Required Attendees:** Megan Lasch; Sally Gaskin  
**Optional Attendees:** Abby Penner; Joy Horak-Brown; Emily Abeln

We will have 30 minutes to present.

**Meeting URL:** <https://nasuni.zoom.us/j/99936179191?pwd=K3JMSjAvUzl5TDJLdVc2UVVRRUdXZz09&from=addon>  
**Meeting ID:** 999 3617 9191  
**Passcode:** 897982

**Join by Telephone**

For higher quality, dial a number based on your current location.

**Dial:** US: +1 346 248 7799

**Meeting ID:** 999 3617 9191

**ID:**

**Passcode:** 897982

---

**Alice Woods**

---

**Subject:** FW: Cmty Mtg: NPA-2022-0019.01.SH\_1004 E. 39th St. (Central Austin Combined NP Area)

**Start:** Thu 4/7/2022 6:00 PM  
**End:** Thu 4/7/2022 7:30 PM

**Recurrence:** (none)

**Meeting Status:** Accepted

**Organizer:** Meredith, Maureen

-----Original Appointment-----

**From:** Meredith, Maureen [REDACTED]  
**Sent:** Thursday, March 17, 2022 10:31 AM  
**To:** Meredith, Maureen; Walters, Mark; Megan Lasch; Abby [REDACTED]  
**Cc:** Ikemefuna Enemkpali; Sally Gaskin; Joy Horak-Brown; Emily Abeln  
**Subject:** Cmty Mtg: NPA-2022-0019.01.SH\_1004 E. 39th St. (Central Austin Combined NP Area)  
**When:** Thursday, April 7, 2022 6:00 PM-7:30 PM (UTC-06:00) Central Time (US & Canada).  
**Where:**

---

## Microsoft Teams meeting

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

+1 512-831-7858,471940973# United States, Austin

Phone Conference ID: 471 940 973#

[Find a local number](#) | [Reset PIN](#)

[Learn More](#) | [Meeting options](#)

---



---

**Alice Woods**


---

**From:** Hugh Bender [REDACTED]  
**Sent:** Friday, April 8, 2022 10:50 AM  
**To:** Alice Woods  
**Cc:** Sally Gaskin; Megan Lasch; Abby Penner  
**Subject:** Re: Cady Lofts

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Alice, The HNA Zoning & Development Committee would like to have a meeting Wednesday April 20th at 7pm (zoom mtg) on your zoning request. Will you be able to have some representatives to present & answer questions. FYI - Email chatter by members is building rapidly the past two days. Thanks Hugh

---

**From:** "AWoods" [REDACTED]  
**To:** "coan dillahunty" [REDACTED]  
**Cc:** "Hugh Bender" [REDACTED], "Linda Guerrero" [REDACTED], "Bart Whatley" [REDACTED], "mebaneaustin" [REDACTED], "Sally Gaskin" [REDACTED], "Megan Lasch" [REDACTED], "Abby Penner" [REDACTED]

**Sent:** Wednesday, March 16, 2022 11:05:20 AM  
**Subject:** Re: Cady Lofts

Hi Coan,

Great, thank you.

We are still planning to send the presentation before the meeting but it might be later this afternoon- apologies we are still waiting on a couple of slides from our partners.

I will plan to control the slides for our team. Happy to jump on 5 minutes early to make sure all is working.

**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 [REDACTED] | C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

On Mar 16, 2022, at 11:01 AM, Coan Dillahunty [REDACTED] wrote:

Hello Alice,

Just checking in before tonight's meeting. We've got you scheduled to present at 7:10 pm. Are you still planning to send the presentation before the meeting?

**From:** [Alice Woods](#)  
**To:** [Hugh Bender](#)  
**Cc:** [Sally Gaskin](#); [Megan Lasch](#); [Abby Penner](#)  
**Subject:** RE: Cady Lofts  
**Date:** Friday, April 8, 2022 11:39:00 AM  
**Attachments:** [image001.png](#)

---

Hi Hugh,

This works for us. Would you like me to send a zoom invite or will you set this up?

Please let us know if there is any specific chatter that it would be helpful for us to address—we are always available to answer neighbors' questions.



**ALICE WOODS**  
 Development Associate  
 Saigebrook Development | O-SDA Industries  
 [REDACTED] C: 314.540.5355  
 5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Hugh Bender [REDACTED]  
**Sent:** Friday, April 8, 2022 10:50 AM  
**To:** Alice Woods [REDACTED]  
**Cc:** Sally Gaskin [REDACTED]; Megan Lasch [REDACTED]; Abby Penner [REDACTED]  
**Subject:** Re: Cady Lofts

Alice, The HNA Zoning & Development Committee would like to have a meeting Wednesday April 20th at 7pm (zoom mtg) on your zoning request. Will you be able to have some representatives to present & answer questions. FYI - Email chatter by members is building rapidly the past two days. Thanks Hugh

---

**From:** "AWoods" <[AWoods@Saigebrook.com](mailto:AWoods@Saigebrook.com)>  
**To:** "coan dillahunty" <[coan.dillahunty@gmail.com](mailto:coan.dillahunty@gmail.com)>  
**Cc:** "Hugh Bender" <[bender@bender.com](mailto:bender@bender.com)>, "Linda Guerrero" <[lguerreiro@gmail.com](mailto:lguerreiro@gmail.com)>, "Bart Whatley" <[bart.whatley@gmail.com](mailto:bart.whatley@gmail.com)>, "mebaneaustin" <[mebaneaustin@aol.com](mailto:mebaneaustin@aol.com)>, "Sally Gaskin" <[Sally@saigebrook.com](mailto:Sally@saigebrook.com)>, "Megan Lasch" <[megan@o-sda.com](mailto:megan@o-sda.com)>, "Abby Penner" <[Abby@Saigebrook.com](mailto:Abby@Saigebrook.com)>  
**Sent:** Wednesday, March 16, 2022 11:05:20 AM  
**Subject:** Re: Cady Lofts

Hi Coan,

Great, thank you.

From: [Hugh Bender](#)  
 To: [Megan Lasch](#)  
 Cc: [Alice Woods](#); [Sally Gaskin](#); [Abby Penner](#); [coan dillahunt](#)  
 Subject: Re: Cady Lofts  
 Date: Tuesday, April 19, 2022 8:10:58 PM  
 Attachments: [image001.png](#)

Megan, for tomorrow's 7 pm meeting. Members of the HNA are able to attend and participate in the first part of this meeting.

You are the only item on the agenda and we will give you the floor to provide a brief overview of the project but mostly to focus on the following - below. You may present and ask questions at the end or you may handle questions as you present- your choice.

- A brief overview of this affordable housing process with the COA vs regular process
- Update on the timeline for FLUM, Zoning Committee, City Council and other state approval
- Details on the Zoning Specifics requests
- Present the current site plan focusing on elevations, neighborhood impacts, and what parts of the plan are locked in stone and what could change in the future?

The last part of the meeting is for the 4 - four Committee members to discuss and make a recommendation that goes to the HNA membership. (HNA members and your staff may continue to watch but will not participate unless asked a question.)

We are going to try to keep this to an hour. Thanks Hugh

From: "Megan Lasch" <[REDACTED]>  
 To: "Hugh Bender" <[REDACTED]>, "AWoods" <[REDACTED]>  
 Cc: "Sally Gaskin" <[REDACTED]>, "Abby Penner" <[REDACTED]>  
 Sent: Wednesday, April 13, 2022 4:28:05 PM  
 Subject: RE: Cady Lofts

Hi Hugh,

Checking to see if we got a location nailed down for this meeting



**MEGAN LASCH**  
 President  
 O-SDA Industries, LLC  
 O: 512.383.5470 | C: 830.330.0762  
[www.o-sda.com](http://www.o-sda.com)  
 5501-A Balcones Dr. #302 Austin, TX 78731

From: Hugh Bender <[REDACTED]>  
 Sent: Friday, April 8, 2022 10:50 AM  
 To: AWoods <[REDACTED]>  
 Cc: Sally Gaskin <[REDACTED]>; Megan Lasch <[REDACTED]>; Abby Penner <[REDACTED]>  
 Subject: Re: Cady Lofts

Alice, The HNA Zoning & Development Committee would like to have a meeting Wednesday April 20th at 7pm (zoom mtg) on your zoning request. Will you be able to have some representatives to present & answer questions. FYI - Email chatter by members is building rapidly the past two days. Thanks Hugh

From: "AWoods" <[AWoods@SinglesandShoes.com](mailto:AWoods@SinglesandShoes.com)>  
 To: "coan dillahunt" <[coandillahunt@gmail.com](mailto:coandillahunt@gmail.com)>

**Alice Woods**

**Subject:** HNA Zoning Committee Meeting  
**Location:** <https://nasuni.zoom.us/j/96400769934?pwd=ZkdWcGFicHV2TTV2TlBEV0xPMjlHUT09&from=addon>  
**Start:** Wed 4/20/2022 7:00 PM  
**End:** Wed 4/20/2022 8:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Meeting organizer  
**Organizer:** Alice Woods  
**Required Attendees:** Alice Woods; Megan Lasch; Sally Gaskin  
**Optional Attendees:** Abby Penner; Sally Gaskin; Meesha Afkani

**Meeting**

**URL:** <https://nasuni.zoom.us/j/96400769934?pwd=ZkdWcGFicHV2TTV2TlBEV0xPMjlHUT09&from=addon>

Join by Telephone: [+1 346 248 7799](tel:+13462487799)  
 Meeting ID: [964 0076 9934](https://nasuni.zoom.us/j/96400769934)  
 Passcode: 544338

**Call to Order 7:00 pm**

**Members:** Hugh Bender, Linda Guerreo, Bart Whatley, Bob Mebane

**Guests:** Cady Loft Developer Representatives  
 Alice Woods, Sally Gaskin, Megan Lasch, Abby Penner

**CONSIDERATION:: Zoning Change Request for Cady Lofts Development 39th St**

The westernmost of the three sites is zoned SF-3-NP, the other two are zoned LO-MU-NP. Cady Lofts is seeking a zoning designation of MF-6-NP on all three sites

- 1) Presentation on Cady Lofts Development and Operations
- 2) Questions and Discussion by members and then HNA members.
- 3) Action: Recommendation by the Zoning and Development Committee to the HNA General Membership
- 4) Adjourn Mtg

---

From: Coan Dillahunty <[REDACTED]>  
Date: April 21, 2022 at 7:52:08 PM CDT  
To: Megan Lasch [REDACTED], Sally Gaskin <[REDACTED]>  
lisa [REDACTED]  
Cc: Bart Whatley [REDACTED], "Bruce H. Fairchild"  
[REDACTED], "Laura T." [REDACTED]  
Subject: HNA Zoning Committee Meeting Follow-up

Dear Cady Lofts Team,

Thank you again for your presentation last night. It was interesting and provided new plans for us to review. I've attached two documents for your review:

- HNA Zoning 4-20-22 Recommendation.docx
- 04-21-22 HNA - Cady Lofts Letter.docx

The first attachment summarizes our Zoning Committee meeting last night, along with their recommendation to move the issue to the Hancock Neighborhood Association for further consideration. Based on that recommendation, the second attachment outlines the Hancock Neighborhood Association's request for both additional information and time to complete that analysis once we receive it.

Thank you,

Coan Dillahunty  
Hancock Neighborhood Association President



Attachment 1 to previous email

**Minutes of the meeting of the Hancock Neighborhood Association ("HNA") Zoning Committee held April 20, 2022:**

The Committee discussed the proposed "Cady Lofts" project intended for 1004, 1006, 1008 39<sup>th</sup> St., Austin, Texas - parcels within the HNA boundaries. It entertained a presentation from one of the many developers involved, Megan Lasch. It had a question and answer period with members of the HNA and Ms. Lasch.

Wherefore, it was RESOLVED that inasmuch as the presentation by Ms. Lasch contained three different options (two of which had not been seen by HNA before) for the proposed project, the Committee advised that there was a need for the HNA to study more information and conduct further discussions with the development group and then to make a report to the HNA members and to City Staff, the Planning and Zoning Commission and City Council, and it was

FURTHER RESOLVED that in order to carry out such further review and necessary actions, the President of the HNA, in accordance with the powers of the President stated in the HNA's Bylaws, should carry out further investigations and should discuss matters with relevant experts, the City of Austin, other agencies and neighborhood associations, prepare and submit reports as needed, and seek postponements of present hearings with the Planning and Zoning Commission and City Council.

Foregoing was approved by HNA Zoning Committee on April 20, 2022

Attachment 2 to previous email

Date: April 21, 2022

To: Sally Gaskin – Officer of SGI Ventures, Inc. - via email to [REDACTED]  
 To: Megan Lasch - Officer of O-SDA Industries LLC - via email to [REDACTED]  
 To: Lisa Stephens – Officer Saigebrook Development - via email to [REDACTED]  
 (all of the above are collectively referred to as the “Addressees”)

From: Hancock Neighborhood Association

Dear Addressees:

*Re: “Cady Lofts” - 1004, 1006, 1008, East 39<sup>th</sup> St, Austin, Travis county, Texas, a large rental project of 100 units of 400 s.f. each on a small parcel - hereafter called the “Rental Housing Project”)*

Thank you for the presentation made last night by Megan Lasch. It was interesting and provided new information.

I just wanted to bring you up to date on a few things concerning the Rental Housing Project proposed for our neighborhood.

The Hancock Neighborhood Association (“HNA”) has been chartered to preserve the Hancock neighborhood as may be seen by the heading and title of our website at <https://www.hancockna.org>.

The Zoning Committee of the HNA met last night with one of the developers. After the meeting, it resolved that the President of the HNA should continue to investigate the nature of the proposed project, work with experts as necessary, and work with the City staff, agencies, commissions, and City Council as necessary. Please see attached recommendation.

This recommendation is in addition to the powers that the President of HNA already possesses under Article 10 of the HNA bylaws:

The President shall coordinate all activities of the Association. The President shall be in charge of the program and arrangements for all regular meetings. The President shall preside over Association meetings, appoint members to committees and the CANPAC representatives, establish ad hoc committees, assign duties to officers and members as required, and serve as the official representative for the Association. The President shall be responsible for receiving site plans and other zoning information at any time there is not a chairperson for the Zoning Committee. The President shall be responsible for attending and ensuring that a designate attend all meetings of the Austin Neighborhoods Council or its successor.

The historic character of HNA is well known to all in central Austin. In fact, in 2018, I wrote to Mr. Sadowsky at the City of Austin as follows:

Dear Mr. Sadowsky,  
 I am Co-chair of Hancock Neighborhood Local Historic District Committee and we were excited to hear about the opportunity to apply for this year's Texas Historical Commission grant program. The Hancock Neighborhood is the largest historic, architecturally intact neighborhood in the City of Austin

and we are doing our best to protect it from the ongoing threat of demolitions and preserve it for future generations.

I've attached our completed letter of intent to this email and look forward to hearing from you.

Best regards,

Coan Dillahunt

Co-chair, Hancock Local Historic District Committee

512-694-4388

Also, the bylaws of the HNA state that the HNA is charged as follows:

Article 4 - Purposes

The Purposes of the Association are:

- a) to improve the safety and quality of life in the neighborhood;
- b) to address matters of interest to Association members and non-member residents.
- c) to strengthen the influence of Association members and non-member residents of the neighborhood upon governmental and other entities in matters of interest to the neighborhood.

It has only recently come to the attention of the HNA that the addressees have submitted numerous documents to the City of Austin, TDHCA, HACA, and AAFC, some of which exceed 250 pages. We learned recently that unbeknownst to the HNA, Addressees have submitted documents concerning the Housing Project to the City of Austin concerning certain applications as far back as 2020. This indicates that the Housing Project has been planned for years in advance by Addressees - who have ample time to assemble documents and prepare presentations and submittals for City of Austin, TDHCA, HACA, and AAFC.

Additionally, the addressees have had numerous communications with these governmental groups over the last several months, preparing and submitting various documents, letters, and applications.

However, the HNA has only, within the last day become aware of new site plans and proposed zoning options for the Rental Housing Project, that differ in significant measure from earlier proposals, complicating our ability evaluate options and garner feedback from our residents.

The Hancock neighborhood is a quiet historic area that has for years maintained its unique character through SF-3 zoning.

Because of the foregoing, especially due to the charge of the HNA as per its Article 4 (mentioned above), the HNA must uphold its obligations to its Bylaws and to its neighborhood and assure that it has full and adequate information about the request for the zoning change and Houston Project, before it can make a final recommendation.

Therefore, the HNA respectfully formally requests the Addressees provide the HNA with the complete set of all documents that it has submitted to any government agency, among others. Specially, the HNA respectfully requests the Addressees provide the following to HNA as soon as reasonably practicable:

1. from 2020 to date, any and all documents concerning the Housing Project submitted to any department of the City of Austin, TDHCA, HACA, and AAFC, including all exhibits and attachments thereto.
2. from 2020 to date, any and all emails concerning the Housing Project sent to or received from any department of the City of Austin, TDHCA, HACA, and AAFC, including all exhibits and attachments thereto.
3. any expert reports concerning traffic flow and pedestrian use of streets or sidewalks

on I-35 feeder, Harmon St., 381/2 St., 39th St., 40<sup>th</sup> St. Wilbert St., Becker St., and Red River.

3. any site plan relating to the project.
4. all architectural drawings or blueprints relating to the project, including elevations and interior plans for each floor.
5. complete environmental Phase 1 or Phase 2 reports
6. complete title reports for all three lots showing the entire deed history of each lot, including deeds, easements, or deed restrictions

When HNA receives them, it will promptly review. In the meantime, so that HNA may make fully and adequately informed decisions, HNA is in the process of consulting with its own experts in affordable housing, historical issues, traffic flow, architecture, and engineering and legal.

Inasmuch as Addressees have had planning for this project started as far back as 2020, we are sure that the Addressees agree that HNA now needs a reasonable period of time to review all matters and submit their report and opinion to the Planning and Zoning Commissions and to City Council. The law entitles the owners in the area and HNA a fair and full notice of relevant information and a fair and full opportunity to assemble its own experts and the full and fair opportunity to be heard - we are sure that the Addressees would agree with that.

Therefore, we would respectfully formally request the Addressees to postpone all set hearings with the Planning and Zoning commission and City Council for at least 90 days from today's date. Will you agree to this 90-day postponement of both dates?

In addition, will you agree to provide the above documents to us? We would greatly appreciate it as it would save time and effort. Please advise.

Thank you.

Hancock Neighborhood Association  
By its President: Coan Dillahunt



---

From: Megan Lasch  
Sent: Friday, April 22, 2022 5:46 PM  
To: 'Coan Dillahunt' [REDACTED]; Sally Gaskin [REDACTED]; Lisa [REDACTED]  
Cc: Bart Whatley [REDACTED]; Bruce H. Fairchild [REDACTED]; Laura T. [REDACTED]  
Subject: RE: HNA Zoning Committee Meeting Follow-up

Dear Hancock Neighborhood Association ("HNA"),

We are in receipt of your letter dated April 21, 2022, and request for additional information on the Cady Lofts community. We appreciate the engagement of the HNA in the zoning process for our Cady Lofts development.

While we do not feel our finance application is fully relevant to the zoning case at hand, below is a link to both the Pre-Application and Full TDHCA application.

We also do not feel a 90 day delay on the zoning case is warranted to review these finance applications. We are happy to continue to work with the neighborhood association through the zoning process on items such as ingress/ egress, architectural elements, landscaping, etc.

TDHCA 2022 Imaged app #22274 <https://www.tdhca.state.tx.us/multifamily/docs/imaged/2022-9-challenges/22274.pdf> and [22274.pdf \(state.tx.us\)](#)

Please feel free to reach out if you have any further questions or feedback on presentations made to date.

Have a nice weekend!

Megan



**From:** [Scott Morris](#)  
**To:** [Alice Woods](#)  
**Cc:** [skinnap@redacted.com](#); [Rayne@redacted.com](#); [adements@redacted.com](#)  
[info@redacted.com](#); [Susan Lasch@redacted.com](#)  
**Subject:** Re: Cady Lofts TDHCA Application Notification  
**Date:** Friday, January 7, 2022 3:04:20 PM  
**Attachments:** [image001.png](#)

Dear Ms. Woods:

Thank you for reaching out. A mutual friend got in touch to let us know you needed evidence of notification. I'm sorry of our receipt of the email was delayed.

We have several programs under the Central Austin CDC that you may also be trying to reach, such as My Guadalupe and Friends of Sparky Park.

Good luck with the project.

Sincerely,

Scott Morris



**Scott Morris**  
Central Austin Community Development Corporation  
[smorris](#)  
512-371-7961  
[centralaustincdc.org](#)  
[@cdcatx](#)  
[@crimeatx](#)

On 2022-01-07 14:17, Alice Woods wrote:

Hello Central Austin CDC Executive Team,

Apologies for the multiple emails. As part of our TDHCA application, we are required to provide acknowledgement of receipt of this application notification, and for some reason I am not receiving an automatic delivery receipt from the email addresses associated with your organization.

Please could a member of the executive team acknowledge receipt of this email so that I can make sure it was received? Otherwise, we will need to send out a notification via certified mail by the end of the day.

Thank you for your help,



**ALICE WOODS**  
Development Associate  
Saigebrook Development | O-SDA Industries  
[REDACTED] | C: 314.540.5355  
5501-A Balcones Dr. #302 Austin, TX 78731

---

**From:** Alice Woods

**Sent:** Friday, January 7, 2022 1:59 PM

**To:** sknapp [REDACTED] flayne [REDACTED] aclements [REDACTED]

**Cc:** info [REDACTED] morris [REDACTED]

**Subject:** Cady Lofts TDHCA Application Notification

Dear Official:

Cady Lofts, LLC is making an application for the Housing Tax Credit Program and possibly the Multifamily Direct Loan Program with the Texas Department of Housing and Community Affairs (TDHCA) for Cady Lofts to be located at the NWQ of E 39th St and N IH 35, Austin, TX 78751 in Travis County. The residential density of the Development, i.e., the number of Units per acre, is estimated at a maximum of 176.6. This proposed new construction development is an apartment community that will be a maximum of 130 units of which 120 units will be reserved for residents at or below 60% of Area Median Income or averaging up to 60% of Area Median Income. The proposed development will serve permanent supportive housing residents.

In the spring, TDHCA will hold public hearings in various locations around the state or virtually to gather input on Competitive Housing Tax Credit applications. The hearing schedule along with contact information for written public comment will be posted on TDHCA's Public Comment Center website (<http://www.tdhca.state.tx.us/public-comment.htm>) later this year. An interested party or Neighborhood Organization can provide comments on any and all applications at each hearing, or can provide written comments to the Department by email at [HTCPC@tdhca.state.tx.us](mailto:HTCPC@tdhca.state.tx.us), or by mail at: Texas Department of Housing and Community Affairs, Public Comment - Multifamily Finance Division, P.O. Box 13941, Austin, TX 78711-3941.

Note that in order for input on Competitive Housing Tax Credit applications to be included in the materials relating to presentation for awards to be provided to the Governing Board of TDHCA, such input must be received by TDHCA by 5:00 p.m., Austin TX local time, on June 1, 2022.

Sincerely,

Lisa Stephens  
Consultant, Saigebrook Development LLC  
Representative for Cady Lofts, LLC  
5501-A Balcones Dr. #302  
Austin, TX 78731  
Phone: (352) 213-8700  
[REDACTED]

**ALICE WOODS**  
Development Associate

**Joshua Ellinger's (property owner) Presentation at the April 7, 2022  
Community Meeting**

**From:** Joshua Ellinger

**Sent:** Monday, May 2, 2022 4:56 PM

**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>

**Subject:** Re: Neighborhood Presentation at April 7 Cmty Mtg

\*\*\* External Email - Exercise Caution \*\*\*

Maureen,

Here's the updated powerpoint.

My self-interested angle is that I want the City to stop the cut-through traffic in the neighborhood from the highway and spend all the crazy bond money to build us a wall out of housing and parking garages. I'm okay with PSH and affordable housing next to me.

And, morally, I really want to get the parasitic banks out of the funding picture by selling the tax credits to neighbors and local tech companies. It's a plan worth pursuing.

Josh

# Cady Lofts

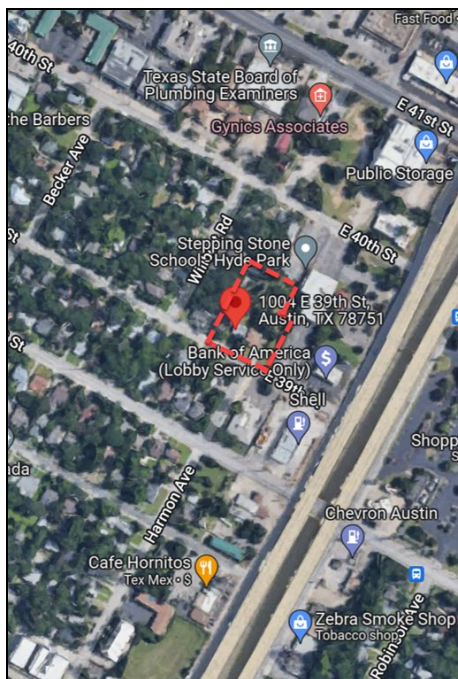
## Wrong Design and Rushed Plans

*We can do better in the near future with zero real cost.*

Joshua Ellinger

Joshuaellinger@gmail.com

(512) 619-7523



## Wrong Design for Hancock

- 100 SRO (single resident) units on 0.74 acres
- Unit size is 452 sq ft  
Normal State minimum is 550 sq ft (exception for PSH)
- About 10x density more than neighboring SF-3 homes
- Doesn't leverage closeness to Lee Elementary
- No buffer from adjacent neighbors; Eats into the single-family core
- Only possible through rezoning to MF-6 and/or the use of Affordability Unlocked statute to bypass height setbacks\*

<https://www.tdhca.state.tx.us/multifamily/docs/imaged/2022-9-challenges/22274.pdf>

\* 2 of 3 designs required MF-6. 1 design requires AU only.

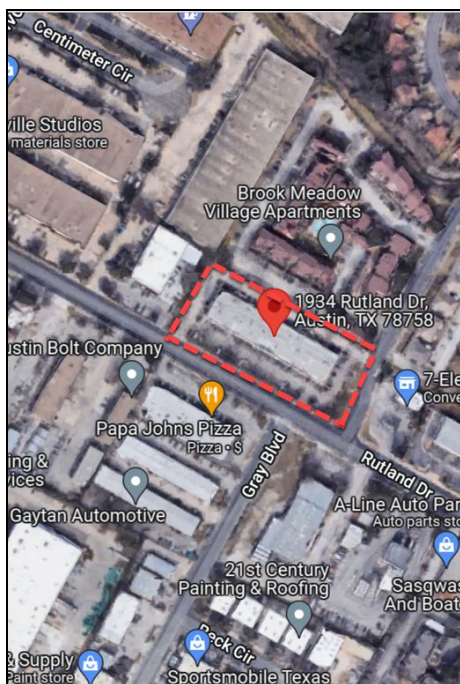


## New “Residential Tower” option solves for buffer but not compatibility

- Does not require a zoning change or FLUM amendment (good)
- Maintains a buffer (good) but adds a big jump in height allowed with Affordability Unlocked (bad)
- Probably the best option if they win funding

However,

- First revealed at 4/20 meeting
- No confirmation from City or State that it can actually be built
- Developer has not sent detailed plans required to provide feedback after several requests. So I don't think it is real.
- Developer is proceeding with rezoning despite not needing it but wants us to give up leverage now.



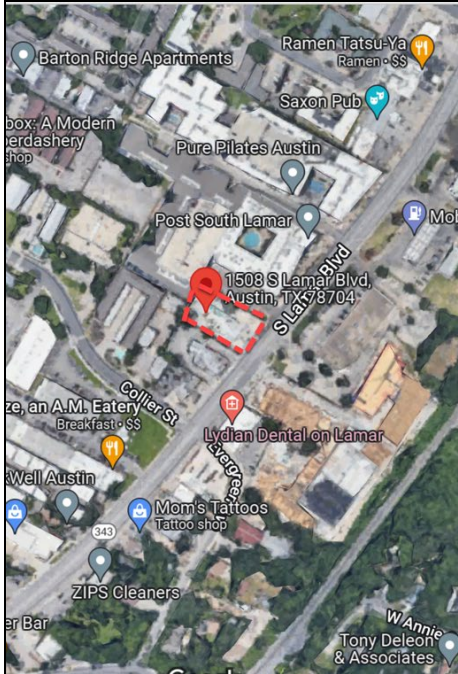
## Comp #1: Carita's Espero

- 170 SRO units on 2.16 acres
- Exact comp except for size  
100% PSH with supportive services @ \$200K/unit like Cady Lofts
- Guess at unit size is 550 sq ft
- About x3 density of neighboring apartments
- Isolated from adjacent neighborhood by commercial properties
- Rent levels unavailable
- No zoning change required

<https://caritasofaustin.org/blog/expanding-our-capacity-with-permanent-supportive-housing/>

(I could not find app for tax credits at the State)



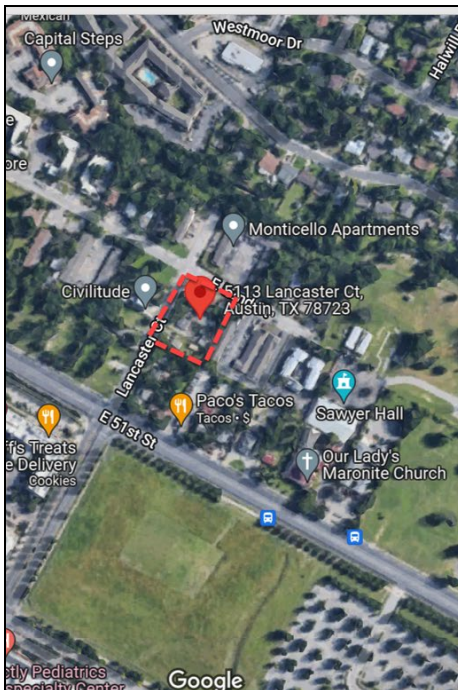


## Comp #2: Foundations Community's Zilker Studios

- 110 SRO units on 0.51 acres, 7-story residential tower
- Equivalent to Option C presented by developers  
100% PSH with supportive services @ ?/unit
- Unit Size is 435 sq ft. (Higher density)
- Isolated from adjacent neighborhood by commercial properties
- Lower rent for tenants (\$612/mo vs \$970/mo)
- Initially had neighborhood support
- Affordability Unlocked but no zoning change

<https://austin.towers.net/meet-zilker-studios-bringing-110-affordable-apartments-to-south-austin/>

<https://www.tdhca.state.tx.us/multifamily/docs/imaged/2020-9-challenges/20002.pdf> (original name was The Armadillo)



## Comp #3: SAFE Alliance's The Lancaster

- 60 units 0/1/2 on 0.54 acres, 5(?) -story residential tower
- Similar to the original design for Cady Lofts
- Entire block to the west is slated for redevelopment
- Developer is building offices next door and sharing parking
- Lower rent for tenants (\$814/mo avg. vs \$970/mo)
- Like to win neighborhood support

*Direct competitor for Cady Lofts. Only one will be funded due to the "2 mile" rule.*

*It is a superior project from many angles but we can't make the case without sounding like NIMBYs. What we can do is make sure the City knows it is an either-or choice.*

<https://www.safealliance.org/>

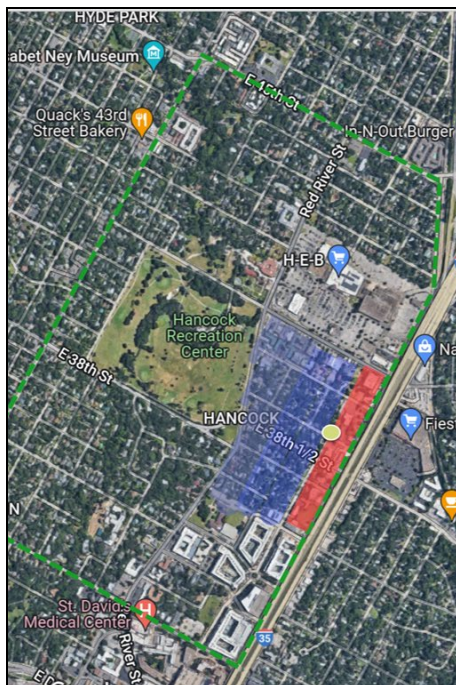
<https://www.tdhca.state.tx.us/multifamily/docs/imaged/2022-9-challenges/22000.pdf>

## Non-Considerations for me

- Parking – these people can't afford cars
- Turnover – It's permanent housing with about a 3% annual turnover. Less than the rentals nearby.
- Safety for us – I can't find convincing evidence that it's a problem.
- Drugs/Alcohol – About 12% of the target population has a drug and/or an alcohol problem. Treat with services.
- Crazy People – About 40% of the target population has a mental disability. Being on the streets make it a lot worse.
- Petty crime – I expect a net reductions in bike/package thief.
- Disruption/Trash/etc – beats having people living under the highway.
- Developers making a profit – they could make a lot more money doing easier work.
- Decreased Property Values – minor to begin with (probably) and fixable with property valuation protests.

*These are legitimate concerns but I don't think they hold up under scrutiny. Most of them are an arguments for more time to engage with developers rather than opposition. I am still worried that the State will yank all the money for supportive services when we hit an economic downturn but that's an argument for using rental profits to fund services, not resistance to PSH.*

*I live at 925 E 39<sup>TH</sup> which is 150 ft from the site. If I'm wrong, we can move but I've got some skin in the game.*



## Recommendations

- Ask the City to deny the zoning change but to instruct AAHC to purchase the lots for future use as PSH housing.
- The City should use zoning to choose which development wins rather than leaving it to the State.
- Review the FLUM in light of the I-35 redevelopment.
- The goal of people in East Hancock should be to use housing development near the highway as a separator. This aligns with the goals of the City.
- Instead of being barrier to addressing the affordability crisis, we can get a better development for all parties and more affordable and public housing that the City desperately needs.

## Well, how did we get here?

*O-SHA and Saigebrooke never thought they would need to ask for us permission.*

- They filed with the State saying they need a zoning change without talking to us because the City rushes through all PSH development.
- City tells them they can't build with MF-4 due to impervious cover so they switch to MF-6.
- They get pushback from us and offer two alternatives on 4/10 out of the blue, one of which doesn't need a zoning change.
- But the application is locked until the award so they still need the zoning change then they can modify the design.

## Conclusion

- The Lancaster is just better:
  1. 60 0/1/2 units for 2023 to support domestic violence victims.
  2. It has neighborhood support.
  3. It is run by a local non-profit (SAFE) and has lower rent/better services.
  4. Last two rounds have had a lot of SRO.
- Reasons to Delay:
  1. The time pressure is 100% due to them not talking to us in Q4. Don't tell us to hurry up when it's not an emergency until you want it.
  2. We don't want and they don't need MF-6. We're stuck with it if they don't get awarded funding.
  3. The new designs are a material change to their state app and may to get denied. Nobody has looked at the new plans. Nobody knows what is going to be built.
  4. Things will be better in a year. With help from the City and support from the neighbors, they can move one lot east, charge less with alternative financing, and give NHH time to establish a local presence.

## So... you want more PSH housing, right?

- We have a limited amount of money and a lot of people to house.
- If you look at the proformas, the Cady Loft developers aren't significantly charging much than Foundation Community. Maybe 10-15%.
- The big increase rental rates comes from the financing mechanism. It's the out-of-state banks making 8-12% APR on something as safe as a muni-bond.

From a macro-level, building this development houses 100 people but leaves 50 on the street because of the for-profit funding sources.

*I don't know why anyone is okay with that...*

It's not the developer's fault. Saigebrooke needs us to find them a better option. It will take a year if we commit to it.

## Financial Appendix

Sourced from 9% tax credit applications at the State

Monthly Rent is estimated as  $\text{INCOME} / \text{Units} / 12$

(No completely accurate for Lancaster due to mix of unit sizes)

### Note:

Rent is not a direct concern as neighbors because it doesn't change how the project impacts us. It is only a relevant as citizens if you want the most efficient use of limited tax dollars. I included it to document the source of rent numbers cited earlier in the presentation.

Cady Lofts is more expensive to the tenants because they have to borrow money. It's just like rental properties are more expensive if they have a large mortgage to cover. – Josh



<b>CADY LOFTS 15 Year Rental Housing Operating Pro Forma (All Programs)</b>							
The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.							
INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
INCOME	\$1,165,020	\$1,188,320	\$1,212,087	\$1,236,329	\$1,261,055	\$1,392,307	\$1,537,219
Secondary Income	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
POTENTIAL GROSS ANNUAL INCOME	\$1,165,020	\$1,188,320	\$1,212,087	\$1,236,329	\$1,261,055	\$1,392,307	\$1,537,219
Provision for Vacancy & Collection Loss	(\$87,377)	(\$89,124)	(\$90,907)	(\$92,725)	(\$94,579)	(\$104,423)	(\$115,291)
Rental Concessions	\$0						
EFFECTIVE GROSS ANNUAL INCOME	\$1,077,644	\$1,099,196	\$1,121,180	\$1,143,604	\$1,166,476	\$1,287,884	\$1,421,928
EXPENSES							
General & Administrative Expenses	\$60,000	\$61,800	\$63,654	\$65,564	\$67,531	\$78,286	\$90,755
Management Fee	\$53,882	\$54,960	\$56,059	\$57,180	\$58,324	\$64,394	\$71,096
Payroll, Payroll Tax & Employee Benefits	\$217,340	\$223,860	\$230,576	\$237,493	\$244,618	\$283,579	\$328,746
Repairs & Maintenance	\$121,980	\$125,639	\$129,409	\$133,291	\$137,290	\$159,156	\$184,506
Electric & Gas Utilities	\$60,340	\$62,150	\$64,015	\$65,935	\$67,913	\$78,730	\$91,270
Water, Sewer & Trash Utilities	\$70,000	\$72,100	\$74,263	\$76,491	\$78,786	\$91,334	\$105,881
Annual Property Insurance Premiums	\$60,000	\$61,800	\$63,654	\$65,564	\$67,531	\$78,286	\$90,755
Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Reserve for Replacements	\$30,000	\$30,900	\$31,827	\$32,782	\$33,765	\$39,143	\$45,378
Other Expenses	\$24,000	\$24,720	\$25,462	\$26,225	\$27,012	\$31,315	\$36,302
TOTAL ANNUAL EXPENSES	\$697,542	\$717,930	\$738,918	\$760,525	\$782,769	\$904,224	\$1,044,690
NET OPERATING INCOME	\$380,101	\$381,267	\$382,262	\$383,079	\$383,707	\$383,659	\$377,238
DEBT SERVICE							
First Deed of Trust Annual Loan Payment	\$142,834	\$142,834	\$142,834	\$142,834	\$142,834	\$142,834	\$142,834
Second Deed of Trust Annual Loan Payment	103,165	103,165	103,165	103,165	103,165	103,165	103,165
Third Deed of Trust Annual Loan Payment							
Other Annual Required Payment							
Other Annual Required Payment							
ANNUAL NET CASH FLOW	\$134,102	\$135,268	\$136,263	\$137,080	\$137,708	\$137,660	\$131,239
CUMULATIVE NET CASH FLOW	\$134,102	\$269,370	\$405,633	\$542,713	\$680,421	\$1,368,841	\$2,041,087
Debt Coverage Ratio	1.55	1.55	1.55	1.56	1.56	1.56	1.53
Other (Describe)							
Other (Describe)							

By signing below I/we are certifying that the above 15 Year pro forma is consistent with the unit rental rate assumptions, total operating expenses, net operating income, and debt service.

<b>ZILKER STUDIOS 15 Year Rental Housing Operating Pro Forma (All Programs)</b>							
The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.							
INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
POTENTIAL GROSS ANNUAL RENTAL INCOME	\$821,040	\$837,461	\$854,210	\$871,294	\$888,720	\$981,219	\$1,083,345
Secondary Income	\$22,164	\$22,608	\$23,060	\$23,521	\$23,992	\$26,489	\$29,246
POTENTIAL GROSS ANNUAL INCOME	\$843,204	\$860,069	\$877,270	\$894,815	\$912,712	\$1,007,707	\$1,112,590
Provision for Vacancy & Collection Loss	(\$63,240)	(\$64,505)	(\$65,795)	(\$67,111)	(\$68,453)	(\$75,578)	(\$83,444)
Rental Concessions	\$0						
EFFECTIVE GROSS ANNUAL INCOME	\$779,964	\$795,563	\$811,475	\$827,704	\$844,258	\$932,129	\$1,029,146
EXPENSES							
General & Administrative Expenses	\$52,031	\$53,592	\$55,200	\$56,856	\$58,561	\$67,889	\$78,702
Management Fee	\$39,081	\$39,863	\$40,660	\$41,473	\$42,303	\$46,705	\$51,567
Payroll, Payroll Tax & Employee Benefits	\$274,140	\$282,364	\$290,835	\$299,560	\$308,547	\$357,691	\$414,661
Repairs & Maintenance	\$80,745	\$83,167	\$85,663	\$88,232	\$90,879	\$105,354	\$122,134
Electric & Gas Utilities	\$57,488	\$59,212	\$60,989	\$62,819	\$64,703	\$75,009	\$86,956
Water, Sewer & Trash Utilities	\$47,914	\$49,352	\$50,832	\$52,357	\$53,928	\$62,517	\$72,475
Annual Property Insurance Premiums	\$42,376	\$43,647	\$44,957	\$46,305	\$47,695	\$55,291	\$64,098
Property Tax	\$20,913	\$21,540	\$22,187	\$22,852	\$23,538	\$27,287	\$31,633
Reserve for Replacements	\$27,500	\$28,325	\$29,175	\$30,050	\$30,951	\$35,881	\$41,596
Other Expenses	\$4,910	\$5,057	\$5,209	\$5,365	\$5,526	\$6,406	\$7,427
TOTAL ANNUAL EXPENSES	\$647,098	\$666,120	\$685,705	\$705,870	\$726,631	\$840,030	\$971,247
NET OPERATING INCOME	\$132,866	\$129,443	\$125,769	\$121,834	\$117,627	\$92,099	\$57,899
DEBT SERVICE							
First Deed of Trust Annual Loan Payment							
Second Deed of Trust Annual Loan Payment							
Third Deed of Trust Annual Loan Payment							
Other Annual Required Payment							
Other Annual Required Payment							
ANNUAL NET CASH FLOW	\$132,866	\$129,443	\$125,769	\$121,834	\$117,627	\$92,099	\$57,899
CUMULATIVE NET CASH FLOW	\$132,866	\$262,309	\$388,078	\$509,912	\$627,539	\$1,151,855	\$1,526,850
Debt Coverage Ratio	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Deferred Developer Fee	\$132,866	\$129,443	\$125,769	\$121,834	\$117,627		
Other (Describe)							

By signing below I/we are certifying that the above 15 Year pro forma is consistent with the unit rental rate assumptions, total operating expenses, net operating income, and debt service coverage based on the bank's current underwriting parameters and consistent with the loan terms indicated in the term sheet and preliminarily considered feasible pending further diligence review. The debt service for each year maintains no less than a 1.15 debt coverage ratio. (Signature only required if using this pro forma for points under \$11.9k/11 relative to Financial Feasibility)



<b>Lancaster 15 Year Rental Housing Operating Pro Forma (All Programs)</b>							
<i>The pro forma should be based on the operating income and expense information for the base year (first year of stabilized occupancy using today's best estimates of market rents, restricted rents, rental income and expenses), and principal and interest debt service. The Department uses an annual growth rate of 2% for income and 3% for expenses. Written explanation for any deviations from these growth rates or for assumptions other than straight-line growth made during the proforma period should be attached to this exhibit.</i>							
INCOME	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	YEAR 10	YEAR 15
INCOME	\$586,392	\$598,120	\$610,082	\$622,284	\$634,730	\$700,793	\$773,732
Secondary Income	\$ 7,200	\$ 7,344	\$ 7,491	\$ 7,641	\$ 7,794	\$ 8,605	\$ 9,500
POTENTIAL GROSS ANNUAL INCOME	\$593,592	\$605,464	\$617,573	\$629,925	\$642,523	\$709,397	\$783,232
Provision for Vacancy & Collection Loss	(\$44,519)	(\$45,410)	(\$46,318)	(\$47,244)	(\$48,189)	(\$53,205)	(\$58,742)
Rental Concessions	\$0						
EFFECTIVE GROSS ANNUAL INCOME	\$549,073	\$560,054	\$571,255	\$582,680	\$594,334	\$656,193	\$724,490
EXPENSES							
General & Administrative Expenses	\$28,502	\$29,357	\$30,238	\$31,145	\$32,079	\$37,189	\$43,112
Management Fee	\$ 27,454	\$ 28,003	\$ 28,563	\$ 29,134	\$ 29,717	\$ 32,810	\$ 36,224
Payroll, Payroll Tax & Employee Benefits	\$ 165,240	\$ 170,197	\$ 175,303	\$ 180,562	\$ 185,979	\$ 215,601	\$ 249,940
Repairs & Maintenance	\$ 66,019	\$ 68,000	\$ 70,040	\$ 72,141	\$ 74,305	\$ 86,140	\$ 99,860
Electric & Gas Utilities	\$ 31,357	\$ 32,298	\$ 33,267	\$ 34,265	\$ 35,293	\$ 40,914	\$ 47,430
Water, Sewer & Trash Utilities	\$ 37,225	\$ 38,342	\$ 39,492	\$ 40,677	\$ 41,897	\$ 48,570	\$ 56,306
Annual Property Insurance Premiums	\$ 35,100	\$ 36,153	\$ 37,238	\$ 38,355	\$ 39,505	\$ 45,798	\$ 53,092
Property Tax	\$ 26,662	\$ 27,462	\$ 28,286	\$ 29,135	\$ 30,009	\$ 34,788	\$ 40,329
Reserve for Replacements	\$ 15,000	\$ 15,450	\$ 15,914	\$ 16,391	\$ 16,883	\$ 19,572	\$ 22,689
Other Expenses	\$ 3,182	\$ 3,277	\$ 3,376	\$ 3,477	\$ 3,581	\$ 4,152	\$ 4,813
TOTAL ANNUAL EXPENSES	\$435,741	\$448,539	\$461,715	\$475,281	\$489,248	\$565,532	\$653,796
NET OPERATING INCOME	\$113,332	\$111,515	\$109,540	\$107,400	\$105,086	\$90,660	\$70,694
DEBT SERVICE							
First Deed of Trust Annual Loan Payment							
Second Deed of Trust Annual Loan Payment							
Third Deed of Trust Annual Loan Payment							
Other Annual Required Payment							
Other Annual Required Payment							
ANNUAL NET CASH FLOW	\$113,332	\$111,515	\$109,540	\$107,400	\$105,086	\$90,660	\$70,694
CUMULATIVE NET CASH FLOW	\$113,332	\$224,847	\$334,387	\$441,787	\$546,873	\$1,036,239	\$1,439,625
Debt Coverage Ratio	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Deferred Fee	\$113,332	\$111,515	\$109,540	\$30,279			
Other (Describe)							