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CASE: C14-2022-0019.SH (Cady Lofts)

DISTRICT: 9

ADDRESS: 1004-1008 E 39th Street

ZONING FROM: SF-3-CO-NP, LO-MU-CO-NP

TO: MF-6-NP-CO*

*On April 26, 2022, the applicant submitted a letter to the staff amending the rezoning request by adding a conditional overlay (CO) to limit the maximum building height on the property to 47 feet (*please see Applicant's Amendment Request Letter - Exhibit F*).

SITE AREA: 0.736 acres (32,060.16 sq. ft.)

PROPERTY OWNER: Cady Lofts, LLC (Nathan H. Leistico)

AGENT: SGI Ventures, Inc. (Sally Gaskin)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMEDATION:

Uchl't geqo o gpf u'O H/6/PR.'O wnl'tco kl "Tgul'f gpeg/O qf gt cvg/J li j 'F gpuls{/ P gli j dqtj qqf 'Ræp'Ego dlplpi 'F lwt lev.'| qplpi 0'

PLANNING COMMISSION ACTION / RECOMMENDATION:

O c{ '32.'4244<Rqur qpgf 'tq'O c{ '46.'4244'bv'vj g'pqli j dqtj qqf)u't gs wguv'*33/2/4.'E0' Næpgu/Rwlf q'çpf 'UØRt czkl/cduælp-0

O c{ '46.'4244''

CITY COUNCIL ACTION:

Lwpg';.'4244

ORDINANCE NUMBER:

ISSUES: N/A

CASE MANAGER COMMENTS:

The site under consideration consists of three lots that contain a single family residence, an office and a vacant property. The tracts to the north are developed with office and day care service uses. To the south, across East 39th Street, there is a day care and single-family residential use. To the east, there is a financial services use. The lots to the west are developed with single family residences. The applicant is requesting MF-6-NP, Multifamily Residence-Highest Density district, zoning to redevelop this property with a 100 unit multifamily complex that will participate in the Affordability Unlocked program for density and development bonuses. The staff has verified with the Real Estate division that the applicant has submitted an Affordability Unlocked application but has not been certified (*please see Affordability Unlocked Zoning Verification Letter - Exhibit D*). In addition, the applicant has requested and received a SMART Housing Certification letter, which is provided upon a request for projects that are seeking funding (*please see SMART Housing Certification Letter – Exhibit E*).

The staff recommends MF-4-NP, Multifamily Residence-Moderate-High Density-Neighborhood Plan Combining District, zoning for this property. The property in question takes access to a Level 1/collector roadway and is located adjacent to single family residences, civic and low density office/commercial uses. Therefore, MF-4-NP zoning is more appropriate at this location as it will allow for moderate-high density housing in this centrally located area near lower density residential uses. The staff's recommendation of MF-4-NP zoning will provide for a transition in the intensity of uses from the CS-MU-NP and GO-MU-NP zoning fronting Interstate Highway-35 frontage road to the east to the SF-3-CO-NP zoning along E. 39th Street/ Wilbert Road to the west. The proposed MF-4-NP zoning will allow for additional housing options in this area of the city located between an arterial roadway, Red River Street, to the west and near a major interstate highway, IH-35, to the east. According to GIS, there are supporting transit services in this area as there is a Capital Metro bus route to the south, along E. 38th ½ Street and to the east, along the IH-35 Southbound Service Road. The rezoning would be consistent with the goals of the Strategic Housing Blueprint, which was adopted by the City Council in 2017.

BASIS OF RECOMMENDATION:

1. *The proposed zoning should be consistent with the purpose statement of the district sought.*

Multifamily Residence (Moderate-High Density) district is intended to accommodate multifamily and group residential use with a maximum density of 36 to 54 units per acre, depending on unit size. This district is appropriate for moderate-high density housing in centrally located areas near supporting transportation and commercial facilities, in areas adjoining downtown Austin and major institutional or employment centers, and in other selected areas where moderate-high density multifamily use is desirable.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. *Zoning should promote a transition between adjacent and nearby zoning districts, land uses and development intensities.*

MF-4-NP zoning will provide for a transition in the intensity of uses from the CS-MU-NP and GO-MU-NP zoning fronting Interstate Highway-35 frontage road to the east to the SF-3-CO-NP zoning along E. 39th Street/ Wilbert Road to the west. There are supporting/walkable civic (day care facilities) and low density office and commercial services adjacent to this property to the north, south and east.

3. *Intensive multi-family zoning should be located on major arterials and highways.*

The request for MF-6 zoning is not consistent with zoning/land use patterns in this area. The property under consideration is not located on a major roadway. It takes access to East 39th Street, a Level 1/collector roadway. Therefore, MF-4-NP zoning is more appropriate at this location as it will allow for moderate-high density housing in centrally located areas near supporting transportation (Red River Street and Interstate Highway-35) and commercial facilities. MF-4-NP zoning will permit a mixture of housing options near existing single family residential uses and supporting civic and commercial services.

The SMART Housing Certification Letter states that the applicant is requesting MF-4-NP zoning for this property to develop a 102-unit rental development at this location. The proposed multifamily units will be leased to households at or below 80% Median Family Income (MFI) (*please see SMART Housing Certification Letter – Exhibit E*).

There are currently no sidewalks, bike lanes or bus routes located along this portion of E. 39th Street. However, there are Capital Metro bus routes (335) to the south, along E. 38th ½ Street and to the east (492), along the IH-35 Southbound Service Road.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	SF-3-NP, LO-MU-CO-NP	Single Family Residence, Office, Vacant
<i>North</i>	LO-MU-NP	Office (Austin Medical Building), Day Care (Stepping Stone School-Hyde Park), Office
<i>East</i>	GO-MU-NP	Financial Services (Bank of America)
<i>South</i>	SF-3-CO-NP	Day Care Services (Stepping Stone School at Mueller UT), Single Family Residences
<i>West</i>	SF-3-CO-NP	Single Family Residences

NEIGHBORHOOD PLANNING AREA: Central Austin Combined Neighborhood Plan (Hancock Neighborhood Planning Area)

TIA: Deferred to the time of Site Plan

WATERSHED: Boggy Creek

SCHOOLS: Austin I.S.D.

Lee Elementary

Kealing Middle School

McCallum High School

NEIGHBORHOOD ORGANIZATIONS:

- Austin Independent School District
- Austin Lost and Found Pets
- Austin Neighborhoods Council
- CANPAC (Central Austin Neighborhood Plan Area Committee)
- Central Austin Community Development Corporation
- Cherrywood Neighborhood Association
- Del Valle Community Coalition
- Hancock Neighborhood Association
- Friends of Austin Neighborhoods
- Homeless Neighborhood Association
- Neighborhood Empowerment Foundation
- Neighbors United for Progress
- North Austin Neighborhood Alliance
- Preservation Austin
- SELTEXAS
- Sierra Club, Austin Regional Group
- Upper Boggy Creek Neighborhood Planning Team

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2014-0064 (Commodore Perry Estate: 710 E. 41 st St.)	GR-MU-CO-NP, GR-MU-CO-H-NP to GR-MU-CO-NP (Tract 1 and 2) and GR-MU-CO-H-NP (Tract 1A)	5/27/14: Approved staff's rec. (8-0-1, J. Nortey-absent); R. Hatfield-1 st , N. Zaragoza-2 nd .	6/26/14: The public hearing was conducted and the motion to close the public hearing and adopt Ordinance No. 20140626-130 for GR-MU-CO-NP combining district zoning for Tracts 1 and 2, and GR-MU-CO-H-NP combining district zoning for Tract 1A, to change conditions of zoning was approved on consent with the following amendments on Council Member Spelman's motion, Mayor Pro Tem Cole's second on a 6-0 vote. Council Member Martinez was off the dais.

			<p>The amendments were to amend Part 3 as follows:</p> <p>“The following applies to Tract 1: Only residential uses are permitted within 75 feet and 53 feet of the north zoning boundary line for those portions of Tract 1, beginning at the western edge of Tract 1 and ending at the shared lot line of Lots 32 and 33, Block 23 Perry Estates Subdivision, Book 3, Page 52, of the Plat Records of Travis County, Texas, as depicted on Exhibit “E”.”</p> <p>“The following applies to Tract 2”: B. Vehicular access from Tract 2 to East 41st Street is limited to residential uses, except for pedestrian, bicycle, and emergency ingress and egress. All non-residential vehicular access to Tract 2 shall be from other adjacent public streets or through other adjacent property.”</p>
C14H-2014-0007 (Red River International House)	SF-3-CO-NP to SF-3-CO-H-NP	8/26/14: Denied staff rec. of SF-3-H-CO-NP (5-3)	<p>10/16/14: Approved SF-3-H-CO-NP zoning on 1st reading</p> <p>12/11/14: Approved SF-3-H-CO-NP zoning (6-1); 2nd/3rd readings</p>
C14-2013-0040 (Commodore Perry Estate)	SF-3-CO-NP to GR-MU-CO-NP (Tracts 1 and 2) and GR-MU-CO-H-NP (Tract 1A)	11/12/13: Approved staff rec. of GR-MU-CO-NP for Tracts 1 & 2 and GR-MU-CO-H-NP for Tract 1A, with amendments	<p>12/12/13: Approved staff rec. of GR-MU-CO-NP for Tracts 1 & 2 and GR-MU-CO-H-NP for Tract 1A as PC recommended on 1st reading only. PH remains open.</p> <p>1/23/14: Approved staff rec. of GR-MU-CO-NP for Tracts 1 & 2 and GR-MU-CO-H-NP for Tract 1A, with amendments, on 2nd reading (6-0, L. Leffingwell-off the dais).</p>

			1/30/14: Approved, with conditions, on 3 rd reading (7-0)
C14-2007-0262 (Central Austin Combined Neighborhood Planning Area Vertical Mixed Use)	Applicant proposing Vertical Mixed Use Zoning	12/09/08: Approved	1/29/09: Approved 1 st reading for 'V' (7-0) 3/06/09: Approved 2 nd reading (7-0) 1/11/09: Approved "V" for certain tracts, w/conditions (6-0); 3 rd reading
C14-03-0021 (Cooper Residence: 1011 Block of E 38 th ½ St.)		2/26/03: Approved staff rec. of SF-4A (7-0)	3/27/03: Approved SF-4A (5-0); 1 st reading 4/24/03: Approved SF-4A (6-0); 2 nd /3 rd readings

RELATED CASES:

NPA-2022-0019.01.SH (Neighborhood Plan Amendment Case)
 C14-04-0023 (Hancock Neighborhood Plan Combining District Rezonings)

EXISTING STREET CHARACTERISTICS:

The adjacent street characteristics table is provided below:

Pco g''	TQY ''	Rcxgo gpv''	En:uultlec vlp''	Uf gy cmu''	Dle{ erg" Tqwg''	Ecr lscr' O gvt q' *y lsj lp'' 'b kg+''
E 39 th Street	50'	30'	Level 1	None	None	Yes

OTHER STAFF COMMENTS:

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Boggy Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

Residential units that are certified affordable under the SMART Housing Policy are exempt from the parkland dedication requirements per City Code § 25-1-601(C)(3). Parkland dedication will be required for any new market-rate residential units that may be proposed by this development, multifamily with MF-6-NP zoning, at the time of subdivision or site plan, per City Code § 25-1-601.

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: thomas.rowlinson@austintexas.gov. At the applicant's request, PARD can provide an early determination of parkland dedication requirements.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. The principal roadway type is urban. Additional comments will be made when the site plan is submitted.

Eqo r cvdklks 'Uc p f c t f u

The site is subject to compatibility standards due to the SF-3-CO-NP zoned lots being adjacent to the west property line and across the street from the south property line.

F go q l s k p ' c p f ' J k w q t k e ' T g u w t e g u '

The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic

criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

Transportation

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Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

Water Utility

The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, utility relocations and or abandonments required by the land use. The water and wastewater utility plan must be reviewed and approved by Austin Water for compliance with City criteria and suitability for operation and maintenance.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Zoning Application
- D. Affordability Unlocked Zoning Verification Letter
- E. SMART Housing Certification Letter
- F. Applicant's Amendment Request Letter
- G. Correspondence from Interested Parties

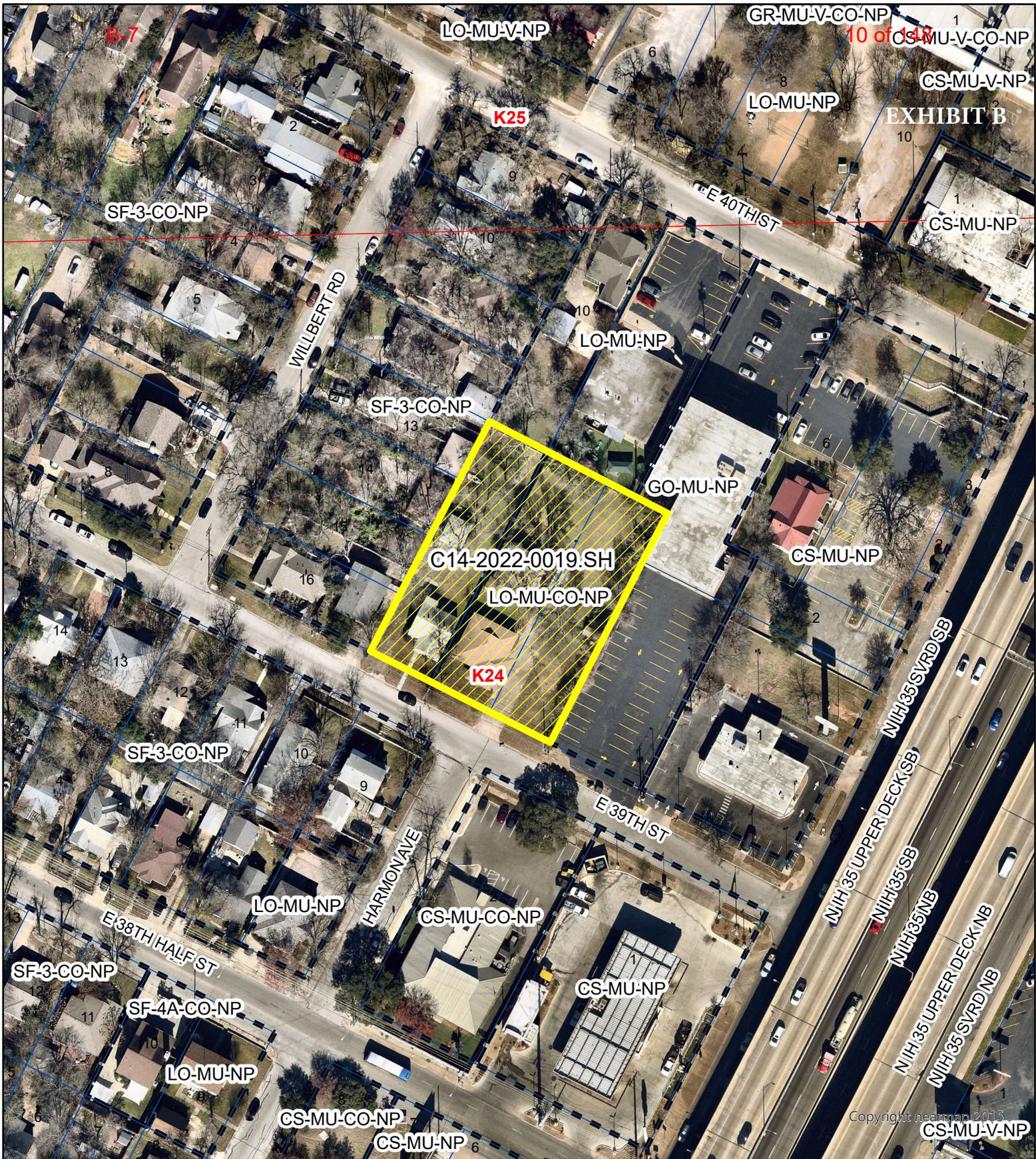


EXHIBIT B



-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER

Cady Lofts

ZONING CASE#: C14-2022-0019.SH
 LOCATION: 1004, 1006 and 1008 East 39th Street
 SUBJECT AREA: 0.73 Acres
 GRID: K24
 MANAGER: SHERRI SIRWAITIS



1" = 100'

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

APPLICATION FOR ZONING

DEPARTMENT USE ONLY

APPLICATION DATE _____	FILE NUMBER(S) _____		
TENTATIVE ZAP/PC DATE _____	TENTATIVE CC DATE _____		
CASE MANAGER _____		CITY INITIATED	YES NO
APPLICATION ACCEPTED BY _____		ROLLBACK	YES NO

PROJECT DATA

OWNER'S NAME: _____

PROJECT NAME: _____

PROJECT STREET ADDRESS (or Range): _____

_____ ZIP _____ COUNTY: _____

If project address cannot be defined, provide the following information:

_____ ALONG THE _____ SIDE OF _____ APPROXIMATELY

_____ FROM ITS INTERSECTION WITH _____

TAX PARCEL NUMBER(S): _____

Is Demolition proposed? _____

If Yes, how many residential units will be demolished? _____ Unknown _____

Number of these residential units currently occupied**: _____

Is this zoning request to rezone a parcel that contains an existing mobile home park with five or more occupied units? ** _____ If Yes, how many? _____

Type of Residential Unit: SF, duplex, triplex, townhouse/condo, multi-family, manufactured home: _____

Number of Proposed Residential units (if applicable): _____ If Yes, how many of the following:

_____ 1 Bedroom _____ Affordable _____ 2 Bedroom _____ Affordable

_____ 3 Bedroom _____ Affordable _____ 4 or more Bedroom _____ Affordable _____ Unknown

Existing Zoning		Existing Use		Tract #	# of Acres/SF	Max # of Res Units Per Acre
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
Proposed Zoning	Proposed Use	Tract #	Proposed # of Acres/SF	Max # of Res Units Per Acre	Proposed Total # of Units Per Acre	
_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	_____	
_____	_____	_____	_____	_____	_____	

Name of Neighborhood Plan: _____

This project will utilize Affordability Unlocked for density and development bonuses

B-7
RELATED CASES

NEIGHBORHOOD PLAN AMENDMENT (YES / NO)	FILE NUMBER: _____
ACTIVE ZONING CASE (YES / NO)	FILE NUMBER: _____
RESTRICTIVE COVENANT (YES / NO)	FILE NUMBER: _____
SUBDIVISION (YES / NO)	FILE NUMBER: _____
SITE PLAN (YES / NO)	FILE NUMBER: _____

1004: W52.5FT OF S207.2FT OF LOT 1 BLK 9 OLT 20-21 DIV C PLAINVIEW HEIGHTS

1006: CEN 52.28FT OF S 207.2FT LOT 1 BLK 9 OLT 20-21 DIV C PLAINVIEW HEIGHTS

1008: E52.89FT OF S207.2FT OF LOT 1 BLK 9 OLT 20-21 DIV C PLAINVIEW HEIGHTS

PROPERTY DESCRIPTION
(For the portion affected by this application) Provide either subdivision

1. **SUBDIVISION REFERENCE:** Name: _____

2. **METES AND BOUNDS** (Attach two copies of certified field notes FI

DEED REFERENCE OF DEED CONVEYING PROPERTY TO THE PRESENT OWNER:

VOLUME: _____ PAGE: _____ OR DOCUMENT # _____

SQ. FT: _____ or ACRES _____ 2009183484

3 deeds, one for each lot

Is this a SMART Housing Project? Yes No

If residential, is there other Tax Credits or Local/State/Federal funding? Yes No

OTHER PROVISIONS

IS A VARIANCE TO THE SIGN ORDINANCE BEING REQUESTED? Yes No

IS PROPERTY IN A COMBINING DISTRICT / OVERLAY ZONE? Yes No

TYPE OF COMBINING DIST/OVERLAY ZONE (NP, NCC, CVC,WO, etc) _____

NATIONAL REGISTER DISTRICT? Yes No

URBAN RENEWAL ZONE? Yes No

IS A TIA REQUIRED? Yes No TRIPS PER DAY: _____

GRID NUMBER (S) _____

WATERSHED: _____ WS CLASS: _____

WATER UTILITY PROVIDER: _____

WASTEWATER UTILITY PROVIDER: _____

ELECTRIC UTILITY PROVIDER: _____

SCHOOL DISTRICT: _____

OWNERSHIP INFORMATION

TYPE OF OWNERSHIP ___ SOLE ___ COMMUNITY PROPERTY ___ PARTNERSHIP ___ CORPORATION ___ TRUST

If ownership is other than sole or community property, list the individuals, partners, principals, etc. below or attach a separate sheet.

This project will utilize Affordability Unlocked for density and development bonuses

Authorized Agent Form

I, Nathan H. Leistico of n/a,
(Print Name of Business Owner/Principal) (Print Business Name)

Do hereby authorize the following to act as my Agent(s) in submitting permit applications on behalf of my company, within the corporate limits of the City of Austin. I understand that I am responsible for any applications/documents as submitted by my Agent(s) and that the individual must exhibit this authorization form to the permitting staff upon request. I further acknowledge that this original authorization form is to remain in my permit file for legal reference purposes. It is agreed that the Agent(s) named below may act as the primary contact for request of information by City staff to complete applications. I understand that it is my responsibility to update my file with the City of Austin upon change of authorized agent status.

Persons named below are authorized and approved to submit permit application data and to obtain any right of way permits in regards to the Business:

- | | | | | |
|----|--------------------------------|-------------------------------|------------------------------|-----------------------|
| 1. | <u>Sally Gaskin</u> | <u>SGI Ventures, Inc.</u> | <u>sally@sgiventures.net</u> | <u>(713) 882-3233</u> |
| | Print Name of Authorized Agent | Company Name | E-Mail Address | Phone # |
| 2. | <u>Megan Lasch</u> | <u>O-SDA Industries, LLC</u> | <u>megan@o-sda.com</u> | <u>(830) 330-0762</u> |
| | Print Name of Authorized Agent | Company Name | E-Mail Address | Phone # |
| 3. | <u>Abby Penner</u> | <u>Saigebrook Development</u> | <u>abby@saigebrook.com</u> | <u>(512) 944-3272</u> |
| | Print Name of Authorized Agent | Company Name | E-Mail Address | Phone # |
| 4. | _____ | _____ | _____ | _____ |
| | Print Name of Authorized Agent | Company Name | E-Mail Address | Phone # |
| 5. | _____ | _____ | _____ | _____ |
| | Print Name of Authorized Agent | Company Name | E-Mail Address | Phone # |

WITNESS OUR HANDS, THIS 7 DAY OF February, 2022

I, the undersigned, representing the Business, do hereby affirm and swear, under oath, that all information on this form and on accompanying documents are true and correct.

Approved: City of Austin

For the City of Austin Department of Transportation

Nathan H. Leistico

PRINTED NAME
Owner/Principal
Nathan H. Leistico

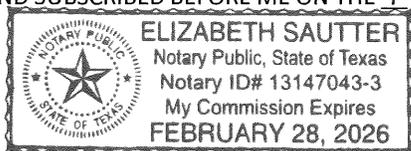
SIGNATURE
Owner/Principal

STATE OF TEXAS
COUNTY OF Travis

SWORN TO AND SUBSCRIBED BEFORE ME ON THE 7th DAY OF February, 2022

Elizabeth Sautter

NOTARY PUBLIC SIGNATURE



SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the review of this application.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND INDICATE FIRM REPRESENTED, IF APPLICABLE.

 February 9, 2022
Signature *Date*

Sally Gaskin
Name (Typed or Printed)

SGI Ventures, Inc.
Firm

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

PLEASE TYPE OR PRINT NAME BELOW SIGNATURE AND INDICATE FIRM REPRESENTED, IF APPLICABLE.

 February 9, 2022
Signature *Date*

Sally Gaskin
Name (Typed or Printed)

SGI Ventures, Inc.
Firm

ACKNOWLEDGMENT FORM
concerning
Subdivision Plat Notes, Deed Restrictions
Restrictive Covenants

I, Sally Gaskin have checked the subdivision plat notes,
(Print name of applicant)
deed restrictions, and/or restrictive covenants prohibiting certain uses and/or requiring certain
development restrictions i.e. height, access, screening etc. on this property, located at:

1004 E 39th St. Austin, TX 78751
(Address or Legal Description)

If a conflict should result with the request I am submitting to the City of Austin due to subdivision plat
notes, deed restrictions, and/or restrictive covenants, it will be my responsibility to resolve it. I
also acknowledge that I understand the implications of use and/or development restrictions that
are a result of a subdivision plat notes, deed restrictions, and/or restrictive covenants.

I understand that if requested, I must provide copies of any and all subdivision plat notes, deed
restrictions, and/or restrictive covenants as information which may apply to this property.

Sally Gaskin
(Applicant's signature)

February 9, 2022
(Date)

RQUVRQP GO GP V'RQNE[
QP
\ QPPI 'J GCTPI U

- Sets a postponement date and time at the City Council hearing so that renotification of residents and property owners is
not necessary.
Limits the time a hearing can be postponed to two months for both proponents and opponents, unless otherwise
approved by Council so that renotification of residents and property owners is not necessary.
Allows only one postponement for either side, unless otherwise approved by Council.
Requires that all requests for postponements be submitted in writing to the director of the Planning and Zoning
Department at least one week prior to the scheduled Council meeting. The written request must specify reasons
for the postponement.
The Director of the Planning and Zoning Department shall provide a recommendation regarding the validity of the
postponement request as the Director deems appropriate.
Eliminates the automatic granting of a postponement of the first request.
Authorizes Council to consider requests that are not submitted timely.

Council action December 12, 1996

**CITY OF AUSTIN
TRAFFIC IMPACT ANALYSIS (TIA) DETERMINATION WORKSHEET**

APPLICANT MUST FILL IN WORKSHEET PRIOR TO SUBMITTING FOR TIA DETERMINATION

PROJECT NAME: _____

LOCATION: _____

APPLICANT: _____ TELEPHONE NO: _____

APPLICATION STATUS: DEVELOPMENT ASSESSMENT: ___ ZONING: ___ SITE PLAN: ___

EXISTING:

FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY

PROPOSED

FOR OFFICE USE ONLY

TRACT NUMBER	TRACT ACRES	BLDG SQ.FT.	ZONING	LAND USE	L.T.E CODE	TRIP RATE	TRIPS PER DAY

ABUTTING ROADWAYS

FOR OFFICE USE ONLY

STREET NAME	PROPOSED ACCESS?	PAVEMENT WIDTH	CLASSIFICATION

FOR OFFICE USE ONLY

A traffic impact analysis is required. The consultant preparing the study must meet with a transportation planner to discuss the scope and requirements of the study before beginning the study.

A traffic impact analysis is NOT required. The traffic generated by the proposal does not exceed the thresholds established in the Land Development Code.

The traffic impact analysis has been waived for the following reason: _____

A neighborhood traffic analysis will be performed by the City for this project. The applicant may have to collect existing traffic counts. See a transportation planner for information.

REVIEWED BY: _____ DATE: _____

DISTRIBUTION: _____ FILE _____ CAP. METRO _____ TXDOT _____ TRANS. REV. _____ TRAVIS CO. _____ TRANS DEPT.

TOTAL COPIES: _____

NOTE: A TIA determination must be made prior to submittal of any zoning or site plan application, therefore, this completed and reviewed form MUST ACCOMPANY any subsequent application for the IDENTICAL project. CHANGES to the proposed project will REQUIRE a new TIA determination to be made.

City of Austin



P.O. Box 1088, Austin, TX 78767
<https://www.austintexas.gov/department/housing-and-planning>

Housing and Planning Department

February 24th, 2022

Sally Gaskin
5501-A Balcones Dr #302
Austin, TX 78731

Re: Zoning Verification for the Property located at 1004, 1006 and 1008 E 39th Street 78751, Austin, Travis County, Texas

Dear Ms. Gaskin:

This letter is to confirm that the property located at 1004, 1006 and 1008 E 39th Street 78751, Austin, Texas is zoned SF-3 and LO-MU-NP.

Under the SF-3 and LO-MU-NP classification applicable to this property, multi-family residential development is not permitted; however, this site is the subject of an application for the City's Affordability Unlocked Program (AU Program), which is a residential affordable housing development bonus program. *See Division 4 (Affordability Unlocked Bonus Program) in Article 15 of City Code Chapter 25-1.* The AU program makes a qualifying development a permitted use in a commercial base zoning district.

If the current application meets all program requirements, the proposed development will be eligible to be certified as a qualifying development. If certified under the AU Program, the site can be developed as multifamily housing.

Sincerely,

Alex Radtke

Alex Radtke, Project Coordinator
Housing and Planning Department



City of Austin

P.O. Box 1088, Austin, TX 78767
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. 39th 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) is planning to develop Cady Lofts, a **102-unit rental** development at 1004-1008 E. 39th 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@austinenergy.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 if you need additional information.

Sincerely,



Alex Radtke, Project Coordinator
Housing and Planning Department

Cc: Kristin Martinez, AE

Jonathan Orenstein, AWU

Mashell Smith, ORS

Cady Lofts

1004 E 39th St. Austin, TX 78751

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RE: Zoning Application for Cady Lofts - C14 2022 0019.SH – Request to Amend Application to include Conditional Overlay (CO)

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SALLY GASKIN
President
SGI Ventures, Inc.
C: 713 882 3233
Sally@SGIVentures.n

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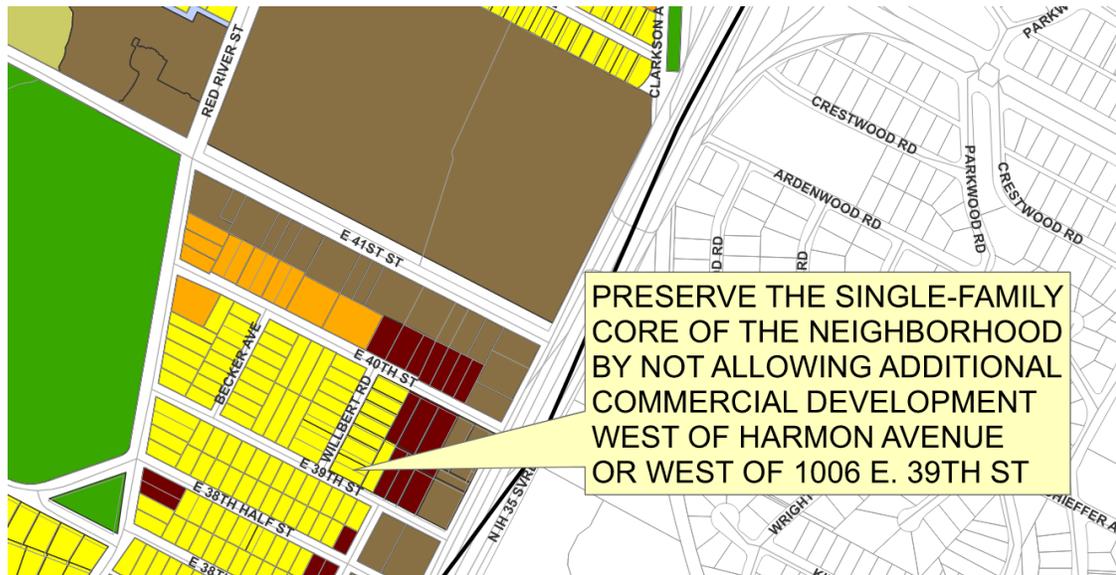
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Serving Bastrop, Blanco, Caldwell, Hays and Travis counties.

January 28, 2022

TDHCA
Colin Nickells
221 East 11th Street
Austin, TX 78701

RE: TDHCA #22274 Cady Lofts apartment community

Dear Mr. Nickells:

I am writing this letter to voice my support for TDHCA Tax Credit Application # 22274, Cady Lofts to be located at 1004-1008 E 39th, Austin, TX 78751.

Austin Habitat for Humanty is a tax-exempt 501 (c)3 not-for-profit organization that serves the community in which the development site is located. Our organization's primary purpose is to build or repair safe affordable homes and provide housing counseling and homebuyer education services in the greater Austin region to help achieve a vision of a community where everyone has a decent place to live. We believe that there is a need for housing that is affordable to citizens of modest means and this development will help meet that need.

Sincerely,

A handwritten signature in blue ink that reads "Phyllis Snodgrass". The signature is fluid and cursive.

Phyllis Snodgrass
CEO

Board Members

Ross Sabolcik, *Chair* | Mason Ayer | Bob Barnes | A.J. Bingham | Joe Bland | Yvette Boatwright | Kevin Cunningham | John Garrett | Melinda Garvey | Larry Graham | Jay Hartzell | Dr. Rev. Daryl Horton | Phil Hutchinson | Dana Leaman | Robert Lee | Nikelle Meade | Terry Mitchell | John Neff | Jessica Nelson | Mia Parton | Kazique Prince | Cynthea Rhodes-Patterson | Neha Sampat | Larry Smith | Shelli Taylor | Laura Toups | Joe Tracy | Robert Ochoa, *ex-officio member*

500 W Ben White Blvd, Austin, TX 78704
512-472-8788 | austinhabitat.org

**We build homes,
communities and hope.**

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 Wendy Wheless

January 24, 2022

TDHCA
 Colin Nickells
 221 East 11th Street
 Austin, TX 78701

RE: TDHCA #22274 Cady Lofts apartment community

Dear Mr. Nickells:

Advisory Council

Will Allen
Growing Power, Inc.
 Lucia Athens
COA Chief Sustainability Officer
 Wendell Berry
Author
 Honorable Lloyd Doggett
U.S. Congress
 Roberto Espinosa
Tacodeli
 Jim Hightower
Author/Commentator
 Richard Linklater
Filmmaker
 Robyn Metcalfe
Food + City
 Raj Patel
Research Professor
 Tom Philpott
Writer for Mother Jones
 Michael Pollan
Author/Professor
 Robin Rather
Collective Strength
 Anne Robertson
Healthy Child, Healthy World
 Dr. Eduardo Sanchez, M.D.
American Heart Association
 Jennifer Vickers
Community Investment Corp.
 Alice Waters
Chez Panisse
 Rob Wilder
Entrepreneur/Restaurateur

I am writing this letter to voice my support for TDHCA Tax Credit Application # 22274, Cady Lofts to be located at 1004-1008 E 39th, Austin, TX 78751.

Sustainable Food Center is a tax-exempt civic organization that serves the community in which the development site is located, with a primary purpose of the overall betterment of the community. We believe that there is a need for housing that is affordable to citizens of modest means and this development will help meet that need.

Sincerely,

Mark Bethell
 Executive Director
 Sustainable Food Center

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PhD
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Kimberly Levinson
Leah Harris, MD
Michele Scott
Sarah Churchill Llamas
Sonya Thorn
Tonya Netzley
Vilma Luna
Zeena Querbach

February 2, 2022

Colin Nickells
Competitive Housing Tax Credit Manager
Texas Department of Housing and Community Affairs
221 East 11th Street
Austin, TX 78701

RE: TDHCA #22274 Cady Lofts apartment community

Dear Mr. Nickells:

I am writing this letter to provide our support for Texas Department of Housing and Community Affairs Tax Credit Application # 22274. Cady Lofts to be located at 1004-1008 E 39th, Austin, TX 78751.

Any Baby Can is a tax exempt 501(c)3 not-for-profit organization that serves the community in which the development site is located. Any Baby Can partners with families to overcome obstacles and achieve well-being. With programs that meet clients where they are – at home, work, or school – Any Baby Can helps build stability, develop skills, and navigate systems so children and families reach their full potential with a primary purpose of building strong communities. The opportunity for the families we serve to live in safe and affordable housing is of importance to us.

Please see attached 501(c)(3) determination letter. We have also attached a [link here](#), to our annual report which shows that we serve the Austin community and the area where this proposed project is located. Our website is anybabycan.org and it provides more information about our services and organization.

Sincerely,



Veronda L. Durden
CEO and President

RECEIVED SEP 1 1 2008

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **AUG 29 2008**

ANY BABY CAN OF AUSTIN INC
1121 E 7TH ST
AUSTIN, TX 78702

Employer Identification Number:
74-2684335
DLN:
17053170311048
Contact Person:
DEL TRIMBLE ID# 31309
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
August 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
June 11, 2008
Contribution Deductibility:
Yes
Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

-2-

ANY BABY CAN OF AUSTIN INC

Sincerely,

A handwritten signature in black ink that reads "Robert Choi". The signature is written in a cursive style with a large, sweeping "R" and a long, horizontal stroke for the "o".

Robert Choi
Director, Exempt Organizations
Rulings and Agreements

Enclosures: Publication 4221-PC

Letter 947 (DO,



P.O. Box 1784, Austin, Texas 78767-1784

512.457.8610 (V) 512.457.8526 (F)

January 28, 2022

TDHCA
Colin Nickells
221 East 11th Street
Austin, TX 78701

RE: TDHCA #22274 Cady Lofts apartment community

Dear Mr. Nickells:

I am writing this letter to voice my support for TDHCA Tax Credit Application # 22274, Cady Lofts to be located at 1004-1008 E 39th, Austin, TX 78751.

Capital IDEA is a tax-exempt civic organization that has enabled residents of other affordable housing developments in Austin, including Saigebrook developments, earn their two-year degrees at Austin Community College and become new professionals in technology and healthcare. Our bread and butter is helping single mothers become Registered Nurses. When that occurs, we all benefit. The previous resident of affordable housing becomes a homeowner and taxpayer. Their children experience a model of success in education and go on themselves to higher education at a roughly 70 percent direct-to-college rate – 25 points above the expected rate.

There is a significant need for housing that is affordable to citizens of modest means as they work their way up a ladder of education and opportunity. This development will help meet that need. We appreciate that previous developments by this team have provided stable housing for Capital IDEA-sponsored students.

Please feel free to call on me for further information. My cell is 512-426-9451 and my email is sjackobs@capitalidea.org.

Sincerely,

Steve Jackobs
Executive Director



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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](#)
[Precinct3Constituents](#); [Margaret.Gomez](#); [steve.adler](#)
[mayor.adler](#); [Natasha.Madison](#); [district1](#)
[vanessa.fuentes](#); [district2](#); [sabino.renteria](#)
[district3](#); [gregorio.casarc](#); [district4](#)
[ann.kitchen](#); [district5](#); [mackenzie.kelly](#)
[district6](#); [leslie.pool](#); [district7](#); [paige.ellis](#)
[district8](#); [kathie.tovo](#); [district9](#)
[Alison.Alter](#); [district10](#); [coan.dillahunty](#)
[smorris](#); [info](#); [adam.stephens](#)
[canpac](#); [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, 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

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

From: [Coan Dillahunty](#)
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 Dillahunty

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

Mr. Dillahunty,

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

Ht qo <Coan Dillahunty <coan.dillahunty@gmail.com>
Ugpv<Monday, January 10, 2022 9:21 AM
Vq<Alice Woods <AWoods@saigebrook.com>
Ee<Megan Lasch <megan@o-sda.com>; Sally Gaskin <Sally@sgventures.net>; Hugh Bender <hbender@bendertx.com>; Bart Whatley <bart.whatley@gmail.com>
Uwdlgev<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 Dillahunty; Hugh Bender; Bart Whatley

Optional Attendees: Abby Penner; Meesha Afkami

zmMeetingNum: 89030919250

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Alice Woods

Subject: Hancock NA + Cady Lofts Discussion
Location: <https://us02web.zoom.us/j/88382664655?pwd=amQ3M1c3Q2xRcjRVR1VlejJKSUdrZz09>

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 [REDACTED] Bart Whatley; emily [REDACTED] joy [REDACTED]

zmMeetingNum: 88382664655

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From: [Alice Woods](#)
To: [lhguerrero9@gmail.com](#); [Hugh Bender](#); [coan.dillahunty@gmail.com](#); [Bart Whatley](#)
Cc: [Sally Gaskin](#); [Megan Lasch](#); [emily@newhopehousing.com](#)
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%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
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

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

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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

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

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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

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

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Alice, please let us know how soon you can provide the information mentioned. We will have a zoning Committee mtg ass 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" <[redacted]>
To: "Linda Guerrero" <[redacted]>, "Hugh Bender" <[redacted]>, "coan dillahunty" <[redacted]>, "Bart Whatley" <[redacted]>, "mebaneaustin" <[redacted]>
Cc: "Sally Gaskin" <[redacted]> "Megan Lasch" <[redacted]>
Sent: Thursday, February 17, 2022 11:18:59 AM
Subject: RE: Cady Lofts

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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

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

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

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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

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

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

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

From: #) [redacted]
Sent: † U hU
To: ° † [redacted]
Cc: = " [redacted] O 8 [redacted] " †
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ALICE WOODS
Development Associate

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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

‡

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

Join by Telephone

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

Dial: US: +1 346 248 7799

Meeting 999 3617 9191

ID:

Passcode:897982

Alice Woods

Subject: FW: Cmtty 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

From: U U [REDACTED]
Sent: u U ° U
To: U U ‡ U U O ° [REDACTED]
Cc: @ - o 8 K = " - °
Subject: # U Vh° o= - o # ° # Vh°
When: u hU hU yu# # u yo #
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]>, "mebaneastin" <[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>
To: "coan dillahunty" <coan.dillahunty@gmail.com>
Cc: "Hugh Bender" <hbender@bendertx.com>, "Linda Guerrero" <lhguerrero9@gmail.com>, "Bart Whatley" <bart.whatley@gmail.com>, "mebaneaustin" <mebaneaustin@aol.com>, "Sally Gaskin" <Sally@sgventures.net>, "Megan Lasch" <megan@o-sda.com>, "Abby Penner" <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.dillahunty](#)
Subject: Re: Cady Lofts
Date: Tuesday, April 19, 2022 8:10:58 PM
Attachments: [image001.png](#)

Megan, for tomorrows 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 4:26:05 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
 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@Salgebrock.com>
To: "coan dillahunty" <coandillahunty@gmail.com>

Alice Woods

Subject: HNA Zoning Committee Meeting
Location: <https://nasuni.zoom.us/j/96400769934?pwd=ZkdWcGFicHV2TTV2TIBEV0xPMjIhUT09&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 Afkami

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Call to Order 7:00 pm

Members: = " O 8 " ‡ " U

Guests: # O) k
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CONSIDERATION:: Zoning Change Request for Cady Lofts Development 39th St

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Ht qo <Coan Dillahunty <[REDACTED]>
F cvg< April 21, 2022 at 7:52:08 PM CDT
Vq<Megan Lasch <[REDACTED]>, Sally Gaskin <[REDACTED]>
 lisa <[REDACTED]>
Ee<Bart Whatley <[REDACTED]>, "Bruce H. Fairchild"
 <[REDACTED]>, "Laura T." <[REDACTED]>
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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:

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

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 39th 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 Dillahunty

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

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 To: #) [redacted] o 8 [redacted] [redacted]
 Cc: " † [redacted] " = 7 [redacted] O u
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 Subject: k- =V° - # U 7

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From: [Scott Morris](#)
To: [Alice Woods](#)
Cc: [sknapp@centralaustincdc.org](#); [flayne@centralaustincdc.org](#); [aclements@centralaustincdc.org](#); [info@centralaustincdc.org](#); [Megan Lasch](#)
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@centralaustincdc.org
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] smorris [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, 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
lisa@saigebrook.com

ALICE WOODS
Development Associate

From: [Meredith, Maureen](#)
To: [Harden, Joi](#); [Sirwaitis, Sherri](#)
Subject: FW: Public Comment RE: Plan Amendment Case #: NPA-2022-0019.01.SH
Date: Monday, April 11, 2022 10:54:07 AM
Attachments: [image.png](#)
[NPA-2022-0019.01.SH Public Comment Carpenter.pdf](#)

Joi and Sherri:
FYI. I sent this to Megan Lasch, Abby and Sally Gaskin.
Maureen

From: Victoria Scott Carpenter <victoriascottcarpenter@gmail.com>
Sent: Friday, April 8, 2022 11:39 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Public Comment RE: Plan Amendment Case #: NPA-2022-0019.01.SH

*** External Email - Exercise Caution ***

Maureen,
I'd like to apologize in advance for the lengthy e-mail/attached letter. I can assure you I did limit myself. Also, thank you for doing your job and collecting feedback from interested parties. I am grateful for our City's transparent process.

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 myself was a Smart Housing resident between 2015 and 2020.
- I am a Texas architect.
- 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:

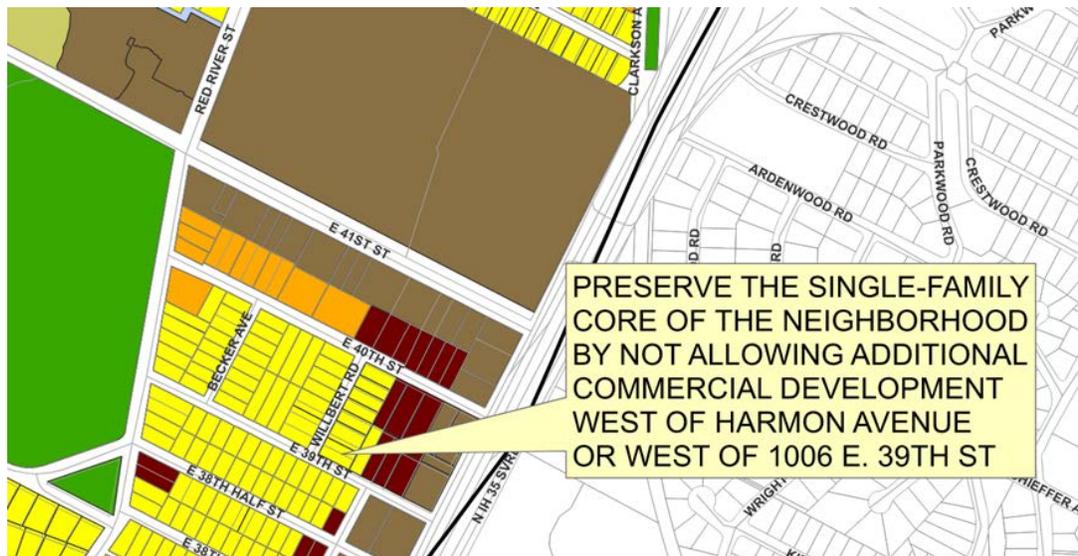
The applicant has stated in their application that this project has been preliminarily approved as an Affordability Unlocked Type 2 project. The applicant is at fault of two eligibility requirements of Type 2 development:

- "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 38th 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,

- Victoria

VICTORIA CARPENTER, AIA, RID
M: (804)836-4047

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2022-0019.SH
Contact: Sherri Sirwaitis, 512-974-3057
Public Hearing: May 10, 2022, Planning Commission

James Racanelli

Your Name (please print)

1001 E 39th Austin, TX 78751

Your address(es) affected by this application (optional)

Jim Racanelli

Signature

5-3-22

Date

Daytime Telephone (Optional):

210 771 8332

Comments: ① Density too high for .74 acre in an existing small lot neighborhood,
② The developers intentionally did not want input. They had initial plans in early 2020. We live 100' to 150' away and had no idea of mfb until March 2022.
③ 100 single men adjacent to two day cares. Is this the best planning Austin can do?

I am in favor
 I object

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
sherri.sirwaitis@austintexas.gov

James Racanelli
1001 East 39th
Austin, TX 78751
(210)771-8332
James.racanelli@sentemortgage.com

April 12, 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-SH
Zoning Case #: C14-2022-0019.SH
Property Address:1004-1006 E. 39th Street (0.736 acres)

Maureen,

After listening to The Cady Lofts presentation on April 7, I realized the process of purchasing and developing the project was initiated without any Hancock community input or insight. It appears to me they were too busy struggling to make the project fit in a tight lot to consult the neighborhood. The project is a big stretch for this location. While understandable, this is certainly un-neighborly. My house is a few yards from the proposed project, and I would have gladly offered my opinions on the best use of the land for the homeless population as well as shared my experiences in developing a multi-unit condo complex in an historic district. My wife was a school district Homeless Director for years in a surrounding community and would have gladly offered her professional opinions. Our neighborhood is full of talented stakeholders who could have helped with this project.

As a Condo developer in a project in Gruene, Texas, steps were implemented to have the community support and buy-in. The process created an atmosphere of acceptance and participation among the stake holders and all in all helped us to develop a condo complex that fit the character of the community. Initially, we had 40 two-bedroom units in a complex that did not match the district. With community input, the project changed to 23 units with three - bedrooms in order to have the stakeholders' desired family-oriented project. We also reduced the project from four floors to three so we wouldn't tower over neighbors. The result was we were able to make it work financially and have neighbors who are happy and at peace with the project. Imagine if the developers for Cady Lofts

included stakeholders and neighbors when planning. The April 7 meeting would have had a very different message.

Placing 100 efficiency units with unhoused male occupants who need significant support services on .74 acres is misuse of the land in relationship to the surrounding community and businesses. East 39th street is already a high traffic area which includes many pedestrians and parked cars daily. I would surmise that the area is at capacity in its current state. The project will certainly change the character of our small community.

The developers spent two years (as stated in the aforementioned meeting) coming up with very detailed plans to include budgets and nonprofit participants. Because of the late notice, to the neighborhood, it looks like they are basically trying to "pull the wool over our eyes" because they assumed the community would not want public supported housing in their backyard. It is not fair to the neighborhood that we must be the bad guys and oppose a project that the city clearly wants.

All in all, I am against allowing this SUPER HIGH-DENSITY MF-6 PROJECT after one or two meetings with the developers. This is the same sort of behavior that caused the city to lose the CodeNext lawsuit. Please deny the current zoning change so we can have reasonable input into a project that will be there for the rest of our lives.

Sincerely,

A handwritten signature in cursive script that reads "James Racanelli". The signature is written in black ink and is positioned below the word "Sincerely,".

James Racanelli

From: Coan Dillahunty
To: [Meredith, Maureen](#); [Sirwaitis, Sherri](#); [Jones, Nathan](#)
Cc: [Bart Whatley](#); [Laura T.](#); [Bruce H. Fairchild](#)
Subject: Hancock Neighborhood Association Cady Lofts Update
Date: Friday, April 22, 2022 8:01:42 AM
Attachments: [04-21-22 HNA - Cady Lofts Letter.docx](#)
[HNA Zoning 4-20-22 Recommendation.docx](#)

*** External Email - Exercise Caution ***

To: Maureen Meredith COA NPA - via email to maureen.meredith@austintexas.gov
 To: Sherri Sirwaitis COA Zoning - via email to sherri.sirwaitis@austintexas.gov
 To: Nathan Jones COA AU - via email to nathan.jones@austintexas.gov

From: Hancock Neighborhood Association, by its President, Coan Dillahunty

Dear Maureen, Sherri, and Nathan:

Re: “Cady Lofts” - 1004, 1006, 1008, East 39th 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”

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 one Wednesday night (04/20/22) with one of the developers. After the meeting it recommended 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 resolution.

This resolution 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.

I wanted you to have this information. I am respectfully requesting that you keep me advised of any material developments concerning any applicable information that you have now or will receive concerning this project, including all relevant deadline dates for submitting information.

Also, I wanted you to have the letter that I sent to the developers yesterday. This will give you

an understanding of why it appears to the HNA that there is much more material information that the developers have that HNA has not yet become aware of and why it is a critical prerequisite to our ability to make an informed decision and thereafter submit reasoned comments and/or objections to City staff and the Planning and Zoning Commission.

We have asked the developers to provide this information on a timely basis and to also agree to a postponement of present hearings before the Planning and Zoning Commission and City Council. We will let you know their answer.

In order that the HNA can plan its investigation and review of this project, it is important for it to know the dates by which it must present and submit its report with comments/objections to each of your city staff departments.

Would each of you kindly reply to me as to the deadline that HNA has to submit documents to each of your city staff departments?

HNA thanks all of you in advance for your professional consideration of this matter.

Sincerely,

Hancock Neighborhood Association
By its President, Coan Dillahunty

Contact info: (512) 694-4388, coan.dillahunty@gmail.com

Attachments:

HNA Zoning 4-20-22 Resolution
04-21-22 HNA Cady Lofts Developer Letter

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TGUQNWIKQP
D['VJ G'J CPEQEMP GH J DQTJ QQF 'CUUQEKVKQP '6J PCö+

Y j gtgcu 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

Y j gtgcu the Hancock Neighborhood Plan explicitly calls for the preservation of SF-3 zoning on lot 1004 E-39TH and no mixed-family development to the West of Harmon; and

Y j gtgcu 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

Y j gtgcu 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

Y j gtgcu 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

Y j gtgcu 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

Y j gtgcu 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.

Y j gtgcu 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. 39th St, thereby eliminating present sidewalks and placing traffic flow closer to the SF-3 zone; and the HNA has noted that 39th St has no sidewalks on either side

Y j gtgcu, 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.

PQY . 'VJ GTGHQTG.

DG'K'TGUQNXGF 'D['VJ G'J CPEQEMP GK J DQTJ QQF 'CUUQEKVKQP 'QHVIJ G CWUVK'EK['EQWPEK'VJ CV<

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.

DG'K'HMTVJ GT'TGUQNXGF <

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.

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Rt gukf gpv.'J cpeqemP gli j dqtj qqf 'Cuqekcvkqp**

From: Guerrero <>
Sent: Tuesday, May 3, 2022 10:27 AM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Cady Lofts-

*** External Email - Exercise Caution ***

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

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

Guerrero
512-970-2035

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clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

From: [Meredith, Maureen](#)
To: [Mary Ann Osborne](#)
Cc: [Sirwaitis, Sherri](#)
Subject: RE: Cady Loft email
Date: Tuesday, May 3, 2022 12:18:45 PM

Thank you for your comments. We will add them to the staff case reports.
Maureen

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

From: Mary Ann Osborne <mary.ann.osborne@gmail.com>
Sent: Tuesday, May 3, 2022 12:17 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Cady Loft email

*** External Email - Exercise Caution ***

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

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

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May 4, 2022

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Kate Moore
Kate Moore (May 4, 2022 12:37 CDT)

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May 4, 2022

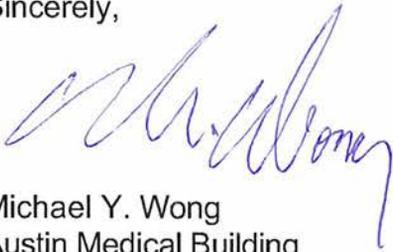
RE: Zoning Case #C14-2022-0019.SH for Cady Lofts Project (1004-1008 E 39th Street)

To whom it may concern:

I am writing this letter to voice my support of the zoning change proposed at 1004-1008 E 39th 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. 40th St., its back parking located at 1010 E. 39th St.; and 1007 E. 40th St., occupied by Stepping Stone School, all of which are contiguous to the site being discussed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Y. Wong". The signature is fluid and cursive, written over a white background.

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

From: Coan Dillahunty
To: [Meredith, Maureen](#); [Sirwaitis, Sherri](#); [Jones, Nathan](#)
Cc: [Bart Whatley](#); [Laura T.](#); [Bruce H. Fairchild](#)
Subject: Hancock Neighborhood Association Cady Lofts Update
Date: Friday, April 22, 2022 8:01:42 AM
Attachments: [04-21-22 HNA - Cady Lofts Letter.docx](#)
[HNA Zoning 4-20-22 Recommendation.docx](#)

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To: Maureen Meredith COA NPA - via email to maureen.meredith@austintexas.gov
 To: Sherri Sirwaitis COA Zoning - via email to sherri.sirwaitis@austintexas.gov
 To: Nathan Jones COA AU - via email to nathan.jones@austintexas.gov

From: Hancock Neighborhood Association, by its President, Coan Dillahunty

Dear Maureen, Sherri, and Nathan:

Re: "Cady Lofts" - 1004, 1006, 1008, East 39th 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"

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Would each of you kindly reply to me as to the deadline that HNA has to submit documents to each of your city staff departments?

HNA thanks all of you in advance for your professional consideration of this matter.

Sincerely,

Hancock Neighborhood Association
By its President, Coan Dillahunty

Contact info: (512) 694-4388, coan.dillahunty@gmail.com

Attachments:

HNA Zoning 4-20-22 Resolution
04-21-22 HNA Cady Lofts Developer Letter

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From: [Meredith, Maureen](#)
To: [Megan Lasch](#); [Abby Penner](#); [Sally Gaskin](#)
Cc: [Sirwaitis, Sherri](#); [Harden, Joi](#); [Rivera, Andrew](#)
Subject: FW: NPA - 2022-0019.01
Date: Tuesday, May 3, 2022 4:40:34 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)

Megan, Abby, and Sally:

Looks like this is the final postponement request from Hancock NA and CANPAC NPCT. See below.
Maureen

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

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

Sent: Tuesday, May 3, 2022 1:57 PM

To: Adam Stephens <>; 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

Hi, Adam:

Megan said they will not ask for a PP to the May 24th PC hearing but they would not have objected

to a neighborhood PP request to that date. Do you want me to use your email below as CANPAC's official postponement request to the June 14 PC hearing?

It looks like there might be multiple postponement requests for various PC dates. I don't know at this time how those multiple requests will be presented to the Planning Commissioners at the May 10 PC hearing. I will keep you posted.

Maureen

From: Adam Stephens <>
Sent: Tuesday, May 3, 2022 11:15 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 <>
Subject: RE: NPA - 2022-0019.01

*** External Email - Exercise Caution ***

Maureen, I wanted to follow up on this email from yesterday I have not seen a response on yet, and let me know if a phone call to go over this would be best. I'm looping in Coan Dallahunty, president of Hancock Neighborhood Association.

There has evidently been changes to the applicant's proposal since their city staff sponsored presentation that CANPAC will be presented at our 5/16 meeting. As complex as this case is, it appears a postponement to Planning Commission's June 14 meeting is more appropriate.

Does the applicant have their postponement in place? I want to make sure everything is in place. Thank you, Adam

From: Adam Stephens
Sent: Monday, May 2, 2022 3:03 PM
To: 'Meredith, Maureen' <Maureen.Meredith@austintexas.gov>; Bart Whatley <bart.whatley@gmail.com>; Mary Ingle <casamia22@att.net>; Betsy Greenberg <betsy.greenberg@gmail.com>
Cc: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Harden, Joi <Joi.Harden@austintexas.gov>
Subject: RE: NPA -2022-0019.01

If the applicant has not postponed, then yes, we would like to ask for a postponement. For now 5/24 should be sufficient, we will know more after we meet with the applicant 5/16.

From: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Sent: Friday, April 29, 2022 12:45 PM
To: Adam Stephens <>; Bart Whatley

<bart.whatley@gmail.com>; Mary Ingle <casamia22@att.net>; Betsy Greenberg <betsy.greenberg@gmail.com>

Cc: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Harden, Joi <Joi.Harden@austintexas.gov>

Subject: RE: NPA-2022-0019.01

Adam:

Megan Lasch has said they will ask for a postponement of the cases from the May 10 to the May 24 PC hearing. Is your postponement request a "just in case" provision? Also, your memo does not say what PC date you are requesting the cases to be postponed to. Is it a date other than what Megan has said would be her request for May 24th?

Maureen

From: Adam Stephens <>

Sent: Friday, April 29, 2022 10:23 AM

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

Cc: Bart Whatley <>; Betsy Greenberg <>; Mary Ingle <>

Subject: NPA - 2022-0019.01

*** External Email - Exercise Caution ***

Meredith,

Please see attached postponement request from the contact team for this Plan Amendment. We are scheduled to meet with the applicant later this month regarding this request.

Thank you,

Adam Stephens, CANPAC co-chair



Adam Stephens

Loan Officer | NMLS No. 216606

📞 512.459.2407 📱 512.689.7650



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PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code: <https://bit.ly/ATXZoningComment>.



During its public hearing, the board or commission may postpone or continue an application's hearing to a later date or may evaluate the City staff's recommendation and public input forwarding its own recommendation to the City Council. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

During its public hearing, the City Council may grant or deny a zoning request or rezone the land to a less intensive zoning than requested but in no case will it grant a more intensive zoning.

However, in order to allow for mixed use development, the Council may add the MIXED USE (MU) COMBINING DISTRICT to certain commercial districts. The MU Combining District simply allows residential uses in addition to those uses already allowed in the seven commercial zoning districts. As a result, the MU Combining District allows the combination of office, retail, commercial, and residential uses within a single development.

For additional information on the City of Austin's land development process, visit our website: www.austintexas.gov/planning.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before the public hearing. Your comments should include the board or commission's name, the scheduled date of the public hearing, and the Case Number and the contact person listed on the notice. Correspondence and information submitted to the City of Austin are subject to the Texas Public Information Act (Chapter 552) and will be published online.

Case Number: C14-2022-0019.SH
Contact: Sherri Sirwaitis, 512-974-3057
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 (optional)
Scott Carmichael 5/1/22
Signature Date

Daytime Telephone (Optional): _____

Comments: Infrastructure cannot support this.

If you use this form to comment, it may be returned to:
City of Austin, Housing & Planning Department
Sherri Sirwaitis
P. O. Box 1088, Austin, TX 78767
Or email to:
sherri.sirwaitis@austintexas.gov

From: Bradley Price
To: [Meredith, Maureen](#); [Sirwaitis, Sherri](#); [Tovo, Kathie](#); [Sally Gaskin](#); megan@o-sda.com
Subject: Cady Lofts : C14 2022 0019.SH
Date: Monday, May 9, 2022 8:50:08 PM

*** External Email - Exercise Caution ***

All,

I'm Bradley Price, a Hancock Neighborhood resident since 1984 at 832 E 37th, not far from the proposed Cady Lofts. I retired 4 years ago after a 40 year career in obstetrics/gynecology, also in the neighborhood at Medical Arts Square and St Davids Medical Center.

I support the project because I see stable housing as literally and figuratively the key for people to escape homelessness for good. The physical layout of Cady Lofts is purposefully designed to create a sense of community among the residents, many of whom have little or no social support, and the single entrance/exit manned 24 hours per day provides not only a sense of safety but also an expectation of accountability. There is clear evidence that stable housing leads to better physical and mental health. Without this kind of housing, many of these people will fall into the 5% of Americans who account for 50% of American healthcare expenses.

I've attended several Hancock Neighborhood Association meetings on this proposal. My Hancock neighbors are well-intentioned and thoughtful, but I disagree with the few who think this development would somehow be disruptive to the neighborhood. On the contrary, I see Cady Lofts as a way our neighborhood can provide a hugely impactful helping hand to those who have experienced homelessness. Please approve this development expeditiously.

Sincerely,
Bradley Price MD



Virus-free. www.avast.com

CAUTION: This email was received at the City of Austin, from an EXTERNAL source. Please use caution when clicking links or opening attachments. If you believe this to be a malicious and/or phishing email, please forward this email to cybersecurity@austintexas.gov.

Respondent

< >

02:54
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Michael Morgan".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "1007 E 39th Street, Austin, TX 78751".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

5124666375

7. Comments



Respondent

< >

02:07
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the case number "C14-2022-0019.SH" followed by a truncated URL "(http://c14-2022-0019.SH)" and an ellipsis "...". A small downward-pointing chevron icon is visible on the right side of the input field.

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Daniel White".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "906 E 38th 1/2 St".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

512-557-3249

7. Comments

Disrupts nature of Hyde park



Respondent

< >

05:08
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Joshua Elinger".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "925 E 39TH".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

The developer just presented two new options to the neighborhood so it is too early for Planning to look at this case. Let's not write a blank check (MF-6 + AU) until we know what we're getting.



Respondent

< >

02:14
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the case number "C14-2022-0019.SH" followed by a truncated URL and a dropdown arrow.

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Natalie Niles Argüello".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "1010 East 38 1/2 Street".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

5122943083

7. Comments



Respondent

< >

02:14
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the text "C14-2022-0019.SH (http://c14-2022-0019.SH) (...". To the right of the text is a small downward-pointing chevron icon.

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Natalie Niles Argüello".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "1010 East 38 1/2 Street".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

5122943083

7. Comments



Respondent

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05:38
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the value "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Cynthia Lindlof".

3. Your address (providing this information will be part of the public record and will be available online)

An empty text input field for providing an address.

4. Your zip code (providing this information will be part of the public record and will be available online)

An empty text input field for providing a zip code.

78705

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

This is too much density for the area.



Respondent

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04:13
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A dropdown menu containing the text "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Ale Eckhoff".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "3500 Harmon Ave".

4. Your zip code (providing this information will be part of the public record and will be available online)

78705

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

2

7. Comments

I oppose Cady Lofts in its current form. It is not a well planned development. There is not enough infrastructure in East Hancock to support this development. We need better roads, parking and side walks to be able to absorb this kind of density in our neighborhood



Respondent

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01:12
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the value "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

An empty text input field for providing a name.

3. Your address (providing this information will be part of the public record and will be available online)

An empty text input field for providing an address.

4. Your zip code (providing this information will be part of the public record and will be available online)

An empty text input field for providing a zip code.

78705

5. Position on Zoning/Rezoning *

I object ∨

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments



Respondent

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10:36
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the text "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Bridget Kenny".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "919 east 39th street".

4. Your zip code (providing this information will be part of the public record and will be available online)

5. Position on Zoning/Rezoning *



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

The project is too big for our street. Our street is a cut through from the frontage road to red river and can be busy. It is already dangerous walking and biking on our street with no side walks and bike lanes. The additional 100 people will make it more so. Also there is no open space for people to congregate who live in the apartments. Given these are small apartments, there needs to be space for people to get out and enjoy some green space. Right now, they will overflow in the street.



Respondent

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62:25
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the value "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Helene Pruitt".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "505 E 40th".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

The Planning Commission should delay the zoning case by 90 days. I am in favor of multi-family housing. I like density or I would not be living in Hancock. I know that affordable housing in central Austin is important. I think the best future for Hancock is a mix of single family homes and multi-family housing. Allowing the developer to push through its unreviewed design will change the character of the street and the neighborhood. I think that the current proposal has been expanded at the eleventh hour and the Planning Commission should review all the proposed designs. By allowing the developer to bypass any discussion or review with the neighborhood, the Commission allows the developer to have a disproportionate impact on future of the neighborhood. That is not equitable.



Respondent

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12:06
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the case number "C14-2022-0019.SH" followed by a truncated URL and a dropdown arrow.

2. Your name (providing this information will be part of the public record and will be available online)

An empty text input field for providing a name.

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "600 Harris Ave".

4. Your zip code (providing this information will be part of the public record and will be available online)

An empty text input field for providing a zip code.

78705

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

We are against this development and against the affordability unlocked program that seeks CodeNext like zoning changes while simultaneously thwarting neighborhood notification requirements...thereby not seeking neighborhood involvement. City council should focus on ways to incentive taxpayers to create affordable housing (ex. Lower property taxes). Using taxpayer dollars to give tax incentives to developers/investors with unproven outcomes to build affordable units without neighborhood input/involvement while in parallel not providing a quality of life improvement for the tax paying neighborhood is ludicrous and misconceived.



Respondent

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09:05
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Renee Studebaker".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "912 E. 39th St.".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

512-769-6957

7. Comments

I am in favor of adding affordable housing and supported housing in Central Austin neighborhoods, including Hancock, but the planning, funding and design of the Cady-Lofts project has been rushed through without efforts to have meaningful discussions with neighbors on the block where it is proposed. Future efforts should involve nearby neighbors from the beginning.



Respondent

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01:10
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the value "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Adam Ernst".

3. Your address (providing this information will be part of the public record and will be available online)

An empty text input field for the user's address.

4. Your zip code (providing this information will be part of the public record and will be available online)

An empty text input field for the user's zip code.

78751

5. Position on Zoning/Rezoning *

I am in favor 

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

I am strongly in support of this rezoning request. Austin DESPERATELY NEEDS the sort of housing that Cady Lofts will provide.



Respondent

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275:02
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A dropdown menu containing the text "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Angela Graveline".

3. Your address (providing this information will be part of the public record and will be available online)

An empty text input field for the user's address.

4. Your zip code (providing this information will be part of the public record and will be available online)

An empty text input field for the user's zip code.

78751

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

The developer publicly stated that a zoning change is not actually required for this project. If the zoning change is approved and the developer does not win the state tax credits, they will not build the proposed PSH, and our little SF3 neighborhood will be stuck with three highly-incompatible MF-6 lots.



Respondent

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07:42
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A dropdown menu containing the text "C14-2022-0019.SH (http://c14-2022-0019.SH) (...".

2. Your name (providing this information will be part of the public record and will be available online)

A large empty text input field for providing a name.

3. Your address (providing this information will be part of the public record and will be available online)

A large empty text input field for providing an address.

4. Your zip code (providing this information will be part of the public record and will be available online)

A large empty text input field for providing a zip code.

78705

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

The myth of affordability hides a narrow agenda to fill in current space and raise profits/taxes. What makes Austin special is being destroyed under the pretense of care. Plan for growth by building out thoughtfully, not filling in every lot in current environment. More Mueller, less West campus. The so-called 'affordable' homes will eventually resort to normal market pricing and the intent is then forgotten/lost while builders move on and do it all again in the next neighborhood. Can planners think beyond the tax footprint and density?



Respondent

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02:05
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Chris Oakland".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "PO Box 6222".

4. Your zip code (providing this information will be part of the public record and will be available online)

78762

5. Position on Zoning/Rezoning *

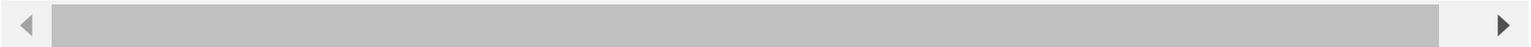
I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

This project isn't well thought out, and will be detrimental to the historic nature of the Hancock neighborhood.



Respondent

< >

00:38
Time to complete

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Matthew Planchard".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "4412 Red River St".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

I've seen both of the developer's plans for the space, and I prefer the plan that doesn't require re-zoning.



Respondent

< >

03:52
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "James Racanelli".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "1001 East 39th".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

2107718332

7. Comments



Respondent

< >

02:25
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Kevin McKinney".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "Peck Street".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

5126191294

7. Comments

Too many people for that space.



Respondent

< >

02:10
Time to complete

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Ivan Correa".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "10603 denell circle".

4. Your zip code (providing this information will be part of the public record and will be available online)

78753

5. Position on Zoning/Rezoning *

I object



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7147243551

7. Comments

This would create insufficient parking and bring crime to the neighborhood as well as damaging our schools



Respondent

< >

01:39
Time to complete

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Stephen Cox".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "5405 Harmon Ave".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

5126955614

7. Comments

Too crowded



Respondent

< 91 Anonymous >

01:40
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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C14-2022-0019.SH (<http://c14-2022-0019.SH>) (...)

2. Your name (providing this information will be part of the public record and will be available online)

Jesse Brown

3. Your address (providing this information will be part of the public record and will be available online)

3543 Greystone Dr

4. Your zip code (providing this information will be part of the public record and will be available online)

78731

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

5125698816

7. Comments

Too many residents for such a small area



Respondent

< >

02:07
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Juan Carranza".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "1033 e 44th st".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

3615495031

7. Comments

Unfair do process



Respondent

< >

01:31
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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A text input field containing the case number "C14-2022-0019.SH" followed by a truncated URL and a dropdown arrow.

2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Ben Werling".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "5413 Harmon Ave Unit A".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7734433525

7. Comments

Not the place for it.



Respondent

< >

01:53
Time to complete

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Zenaida Carranza".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "1033 E 44th Street".

4. Your zip code (providing this information will be part of the public record and will be available online)

78751

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

3617283137

7. Comments

To many people on that space



Respondent

< >

03:04
Time to complete

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Chuck Brewer".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "2500 Spruceleaf".

4. Your zip code (providing this information will be part of the public record and will be available online)

78757

5. Position on Zoning/Rezoning *

I am neutral



6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

Increased traffic. To dense (people) for the area.



Respondent

< >

00:55
Time to complete

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "Seth Lott".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "5905 Cary Drive".

4. Your zip code (providing this information will be part of the public record and will be available online)

78757

5. Position on Zoning/Rezoning *

I object

6. Daytime telephone number (providing this information will be part of the public record and will be available online)

7. Comments

Overcrowded



Respondent

< >

02:00
Time to complete

1. What is the Zoning/Rezoning Case Number? *

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2. Your name (providing this information will be part of the public record and will be available online)

A text input field containing the name "William Smith".

3. Your address (providing this information will be part of the public record and will be available online)

A text input field containing the address "1415 Larkwood Dr Austin, TX".

4. Your zip code (providing this information will be part of the public record and will be available online)

78723

5. Position on Zoning/Rezoning *

I object

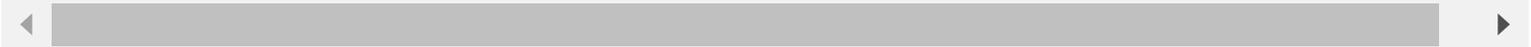


6. Daytime telephone number (providing this information will be part of the public record and will be available online)

5129978115

7. Comments

Want to keep the community safer and there will be an influx of people coming to an already very busy area



From: Coan Dillahunty
To: [Truelove, Rosie](#)
Cc: [Rusthoven, Jerry](#); [Meredith, Maureen](#); [Sirwaitis, Sherri](#); [Bart Whatley](#); [Bruce H. Fairchild](#); [Laura T.](#); [Jen Dillahunty](#); [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 ...
Date: Tuesday, May 17, 2022 4:10:43 PM

*** 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 Dillahunty <> wrote:

Date: May 17, 2022

To: Rosie Truelove – Director of Housing & Planning – via email
at: Rosie.Truelove@austintexas.gov
cc: Jerry Rusthoven – Housing and Planning Department – via email
at: Jerry.Rusthoven@austintexas.gov
cc: Maureen Meredith – Senior Planner Inclusive Planning Division – via email
at: Maureen.Meredith@austintexas.gov
cc: Sherri Sirwaitis – Austin Zoning – via email at: 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. 39th 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 39th street daily was not properly reviewed by Staff. 39th 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 39th 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 39th 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

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cybersecurity@austintexas.gov

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 (38th Street to Red River Street to 40th 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? 39th 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 39th 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 41st 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