

**ZONING CHANGE REVIEW SHEET**

CASE: C14-2024-0155 – 1501-1603 Shoal Creek Boulevard

DISTRICT: 9

ZONING FROM: GO-ETOD-DBETOD (Tract 1) and LO-ETOD-DBETOD (Tract 2)

ZONING TO: GO-V-ETOD-DBETOD (Tract 1) and LO-MU-V-ETOD-DBETOD (Tract 2), and to modify the Pedestrian-Oriented Commercial Spaces requirement per Section 25-2-654 (G)(4)(f)

ADDRESS: 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Blvd.

SITE AREA: 1.418 acres (61,768.08 sq. ft.)

PROPERTY OWNER: Shoal Creek Development, LLC

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Nancy Estrada, 512-974-7617, [nancy.estrada@austintexas.gov](mailto:nancy.estrada@austintexas.gov)

STAFF RECOMMENDATION:

**The Staff recommendation is to grant general office – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (GO-V-ETOD-DBETOD) combining zoning district on Tract 1, and limited office – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (LO-V-ETOD-DBETOD) combining zoning district on Tract 2. Staff recommends granting the modification request to not provide ground floor Pedestrian-Oriented Commercial Space (to provide 0% of the requirement).**

PLANNING COMMISSION ACTION / RECOMMENDATION:

**March 25, 2025:**

CITY COUNCIL ACTION:

ORDINANCE NUMBER:

ISSUES:

Signatures of adjacent property owners have been submitted in response to the above-referenced rezoning case, opposing a rezoning of the property to anything other than SF-3,

GO-ETOD-DBETOD for Tract 1, and LO-ETOD-DBETOD for Tract 2. The petition includes 43.73% of eligible signatures and meets the 20% threshold for a valid petition. Petition materials and comment response forms are located at the end of the Staff report. ***Please refer to Attachment D.***

The site is adjacent to an area of steep slopes of limestone rock overlaying erodible clay material. The stability of the slope at this site and the potential impact of the proposed development has not been evaluated by staff. An environmental resource inventory will be required with the site plan application since the properties include areas with gradients of more than fifteen percent.

On March 11, 2025, the applicant amended their rezoning application to request GO-V-ETOD-DBETOD for Tract 1 and LO-MU-V-ETOD-DBETOD for Tract 2. The original rezoning application that was submitted by the applicant requested GR-MU-V-ETOD-DBETOD for Tract 1 and LO-MU-ETOD-DBETOD for Tract 2. ***Please refer to Attachment A.***

On March 9, 2023, City Council approved Resolution No. 20230309-016 accepting the Equitable Transit-Oriented Development Policy Plan and directing the City Manager regarding next steps for implementation of items intended to benefit the Project Connect Phase 1 Austin Light Rail project. This included development of code amendments to support transit in May of 2024 (Ordinance No. 20240516-005), including creation of the ETOD combining district (restrictions on non-transit supportive uses) and the DBETOD combining district (allowing residential use, and relaxing some development standards including increased height in exchange for income-restricted housing). Properties within one half-mile of the Phase 1 Austin Light Rail alignment and Priority Extensions were included within this overlay, and certain properties were rezoned through a City-initiated process to include the ETOD and DBETOD combining districts. Further, properties rezoned with DBETOD combining district were categorized into Subdistrict 1 (maximum allowable height of 120 feet) or Subdistrict 2 (maximum allowable height of 90 feet), generally based on property distance of ¼-mile or ½-mile from the Phase 1 alignment, respectively. However, that rezoning process did not modify any base district zoning or any combining district zoning, which is the subject of this request. The subject of this request is to add -V combining district to both tracts of this property, as well as -MU combining district to Tract 2.

#### CASE MANAGER COMMENTS:

The subject area is approximately 1.418 acres and currently developed with fourteen (14) multifamily dwelling units and two (2) single family dwelling units, located at the northeast corner of Shoal Creek Boulevard and West 15<sup>th</sup> Street alongside North Lamar Boulevard. ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).*** The proposed development consists of one hundred and twenty-four (124) multifamily dwelling units and three (3) single family dwelling units.

The applicant is requesting general office – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (GO-V-ETOD-DBETOD) combining zoning district, referred to as Tract 1, and limited office – mixed use – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (LO-MU-V-ETOD-DBETOD) combining zoning district, referred to as Tract 2, and to remain in Subdistrict 2. While the property is well-positioned to support transit options, Shoal Creek Boulevard, classified as a Level 1 street under the Austin Strategic Mobility Plan, does not provide the level of foot traffic or commercial viability typically necessary to sustain pedestrian-oriented uses. Additionally, the property features a significant 27-foot horizontal grade change along Shoal Creek Boulevard, further limiting the feasibility of creating viable pedestrian-oriented commercial spaces. Therefore, the applicant is seeking a modification to the ground floor commercial requirement.

A development utilizing the density bonus -ETOD incentives is permitted with the current base GO and LO districts, and must include an affordability component for residential use in order to obtain incentives and relaxation of development and compatibility standards, such as floor to area ratio (FAR), setbacks and building coverage.

There are several methods of satisfying -DBETOD development affordability requirements, based on whether the proposed units will be offered as rental or for ownership.

For rental units, the options are based on a tiered system tied to achievable maximum height or modified development standards.

- i. To achieve 60 feet in height or to utilize a development standard under DBETOD that is not height-related, a development must provide:
  - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI;
- ii. To achieve 90 feet in height, a development must provide:
  - a minimum of 12% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
  - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 50% or less MFI.

There are two options of satisfying DBETOD development affordability requirements which include ownership units:

- 1) a minimum of 12% of the units as affordable for ownership and occupancy by households earning 80% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) an in-lieu-fee payment to the Housing Trust Fund, equivalent to 125% of the required percentage of the total residential units, including the mix of bedrooms required, at the rate set in the fee schedule at the time of site plan submittal.

Staff is recommending (GO-V-ETOD-DBETOD) combining zoning district for Tract 1 and (LO-V-ETOD-DBETOD) combining zoning district on Tract 2, therefore the proposed development will require an affordability component. Staff also recommends granting the modification request to not provide ground floor Pedestrian-Oriented Commercial Space.

**BASIS OF RECOMMENDATION:**

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

General Office (GO) district is intended for offices and selected commercial uses predominately serving community and city-wide needs.

Limited Office (LO) district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

Equitable Transit-Oriented Development (ETOD) combining district promotes transit-supportive uses, increases bicycle, pedestrian, transit connectivity, and housing options, near public transit, and prohibits certain commercial, industrial, and agricultural uses.

Density Bonus Equitable Transit-Oriented Development (DBETOD) combining district allows for residential uses, modifies compatibility standards and site development regulations, and grants additional building height in exchange for income-restricted housing.

2. *Zoning should promote clearly identified community goals, such as creating employment opportunities or providing for affordable housing.*

Participating in a voluntary density bonus or incentive program that allows modifications to site development standards or other regulatory benefits will help provide community benefits. This request remains aligned with the City's goals to increase density and affordability near future transit corridors in exchange for more flexible development standards.

3. *The rezoning should be consistent with the policies and principles adopted by the City Council.*

City Council has provided policy and direction for having more residential density and increased affordability and equitable transit-oriented development, as well as incentivizing vertical mixed use buildings throughout the City.

4. *The proposed zoning should satisfy a real public need and not provide special privilege to the owner.*

Part of the ETOD policy implementation included mitigation measures to help reduce displacement pressures during redevelopment. The implementation measures require development utilizing the DBETOD program to comply with residential redevelopment requirements to preserve existing affordable and/or attainable housing opportunities for low- and middle-income households. Further, implementation measures require new development utilizing the DBETOD program to provide the right to return to certain qualifying businesses (certain non-residential uses) in the new development with right to return to affordable, comparably sized spaces. The ETOD policies seek to balance the need for increased density and activity surrounding transit with displacement pressures associated with said redevelopment.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-ETOD-DBETOD LO-ETOD-DBETOD	Multi-family housing; Single-family housing
<i>North</i>	GO-ETOD-DBETOD LO	Neighborhood office
<i>South</i>	GO-MU-H-CO-ETOD-DBETOD P MF-4-ETOD-DBETOD	Wedding venue, Public park, Recreation center, Community college, Multi-family housing
<i>East</i>	SF-3 SF-3-H LO-H-ETOD-DBETOD	Single-family housing; Personal services
<i>West</i>	SF-3 P MF-3	Public park, Multi-family housing, Single-family housing

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan (Judges Hill District)

WATERSHED: Shoal Creek (Urban)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Bryker Woods Elementary School    O Henry Middle School    Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District  
Austin Lost and Found Pets  
Austin Neighborhoods Council  
Central Austin Community Development Corporation  
City of Austin Downtown Commission  
Downtown Austin Neighborhood Assn. (DANA)  
Friends of Austin Neighborhoods  
Historic Austin Neighborhood Association

Homeless Neighborhood Association  
Judges Hill Neighborhood Association  
Neighborhood Empowerment Foundation  
Preservation Austin  
SELTexas  
Save Our Springs Alliance  
Shoal Creek Conservancy  
Sierra Club  
Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2023-0138 – Enfield	SF-3-NP to MF-3-NP	To Grant MF-3-NP (2/27/24)	Approved MF-3-NP as Planning Commission Recommended (4/18/24)
C14-2018-0072 – 1700 West Avenue	SF-3 to LO-MU-CO	To Grant LO-MU-CO (9/11/18)	Approved LO-MU-CO as Planning Commission Recommended (10/4/18)
C14-2018-0120 – Herbin-Shoe Historic Mixed Use Rezoning	SF-3-H to GO-MU-H-CO	To Grant GO-MU-H-CO (2/26/19)	Approved GO-MU-H-CO as Planning Commission Recommended (3/28/19)

RELATED CASES:

The equitable transit-oriented development (ETOD) combining district and density bonus ETOD (DBETOD) combining district were added to the base districts on July 15, 2024 (C20-2023-004).

An applicant previously proposed to rezone 1.6 acres of the subject property from SF-3, LO, GO to GO-MU, and amended the application for request GO-MU-V zoning on 7/18/2016. The application was ultimately withdrawn on 1/3/2017 (C14-2015-0119).

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

**Project Name and Proposed Use:** 1507 SHOAL CREEK BOULEVARD. C14-2024-0155. Project: 1501-1603 Shoal Creek Boulevard. 1.418 acres from GO-ETOD-DBETOD, LO-ETOD-DBETOD to GO-V-ETOD-DBETOD, LO-MU-V-ETOD-DBETOD. Existing: 14 multifamily units, and single-family units. Proposed: 124 multifamily units (5 stories), and 3 single-family dwelling units. Demolition to be determined. Note that the ETOD Overlay (Ordinance 20240516-005) may apply to this proposal. The ETOD Overlay Combining District (ETOD) restricts non-transit supportive uses, and the ETOD Density Bonus District (DBETOD) establishes a density bonus program. DBETOD may trigger certain residential and non-residential redevelopment requirements including but not limited to a tiered approach for maximum building height increases and affordability requirements.

Site development standards including maximum FAR have the potential to be waived and Compatibility standards may be modified under DBETOD. Also note that this case provides insufficient information to indicate the attainment of certain Complete Community Measures at this time regarding the ETOD Overlay.

Yes	Imagine Austin Decision Guidelines
	<b>Complete Community Measures *</b>
Y	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Names of Activity Centers/Activity Corridors/Job Centers *:</b> <ul style="list-style-type: none"> <li><b>Within Downtown Regional Center; Adjacent to Lamar Boulevard Activity Corridor</b></li> </ul>
Y	<b>Mobility and Public Transit *:</b> Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> <li><b>0.24 miles to bus stop along N Lamar Blvd</b></li> </ul>
Y	<b>Mobility and Bike/Ped Access *:</b> Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> <li><b>Sidewalk present at lower edge of property extending to N Lamar Blvd and W 15<sup>th</sup> St</b></li> </ul>
Y	<b>Connectivity, Good and Services, Employment *:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> <li><b>Goods and Services present along W 15<sup>th</sup> St</b></li> </ul>
	<b>Connectivity and Food Access *:</b> Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	<b>Connectivity and Education *:</b> Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> <li><b>0.36 miles to ACC Rio Grande Campus</b></li> </ul>
Y	<b>Connectivity and Healthy Living *:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> <li><b>0.25 miles to Austin Recreation Center</b></li> </ul>
Y	<b>Connectivity and Health *:</b> Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor's office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> <li><b>0.44 miles to Medical Clinic along Rio Grande St</b></li> </ul>
Y	<b>Housing Choice *:</b> Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	<b>Housing Affordability *:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	<b>Mixed use *:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy *:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
Y	<b>Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone</b>
9	<b>Number of "Yes's"</b>

### Drainage:

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through



engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental:

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal 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 a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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 s.f. 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.

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

PARD – Planning & Design Review:

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. Whether the requirement shall be met with fees in-lieu or dedicated land will be determined using the criteria in City Code Title 25, Article 14, as amended. Should fees in-lieu be required, those fees shall be used toward park investments in the form of land acquisition and/or park amenities within the surrounding area, per the Parkland Dedication Operating Procedures § 14.3.11 and City Code § 25-1-609, as amended.

Note that residential units that are certified affordable and income-restricted are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4).



If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: ann.desanctis@austintexas.gov. At the applicant's request, PARD can provide an early determination of whether fees in-lieu of land will be allowed.

#### Site Plan:

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

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

#### *Compatibility Standards*

The site is subject to compatibility standards due to the proximity/adjacency of SF-3 zoning on the North, East and South side of the triggering property.

*Reference 25-2-1051, 25-2-1053*

Any structure that is located:

- a. At least 50 feet but less than 75 feet from any part of a triggering property may not exceed 60 feet.
- b. Less than 50 feet from any part of a triggering property may not exceed 40 feet.

*Reference 25-2-1061*

An on-site amenity, including a swimming pool, tennis court, ball court, or playground, may not be constructed 25 feet or less from the triggering property.

*Reference 25-2-1062*

This tract is already developed, and the proposed zoning change is a footprint within the existing development

#### *ETOD*

The proposed use is prohibited/conditional within the ETOD district (*check use table, 25-2-653*)

A certification letter from the Housing Department is required before filing for a site development permit.

#### *DBETOD*

Subchapter E applies to this site to the extent of conflict

Shoal Creek is your Principal Street. 75% of the building frontage will be required to be commercial.

Development Standards:

No more than two floors may include non-residential uses.

Cocktail lounges and performance venues can only be located on the first or second story.

No residential uses may be located below a cocktail lounge or performance venue.

Subdistrict 1 building height is limited to a maximum of 60' over base zoning, up to 120'.

Subdistrict 2 building height is limited to a maximum of 30' over base zoning, up to 90'.

This site is adjacent to a site that contains one to three dwelling units and is zoned SF-5 or more restrictive. A compatibility buffer 25' in width, designed to 25-8-700 and 25-2-653(H) will be required. Any structure that is located less than 50 feet from any part of a triggering property may not exceed 60 feet.

Austin Transportation Department – Engineering Review:

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. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

SHOAL CREEK BLVD has sufficient right of way to comply with the Austin Strategic Mobility Plan (ASMP). [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Shoal Creek Boulevard	Level 1 – Local Mobility	58 feet	70 feet	28 feet	No	No	Yes

A Neighborhood Traffic Analysis (NTA) was required.  
***Please refer to Attachment C.***

Austin Water Utility:

No comments on zoning change.

The landowner intends to serve the site with existing City of Austin water utilities.

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](mailto:ser@austintexas.gov).

#### INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

Exhibit A: Zoning Map  
Exhibit A-1: Aerial Map

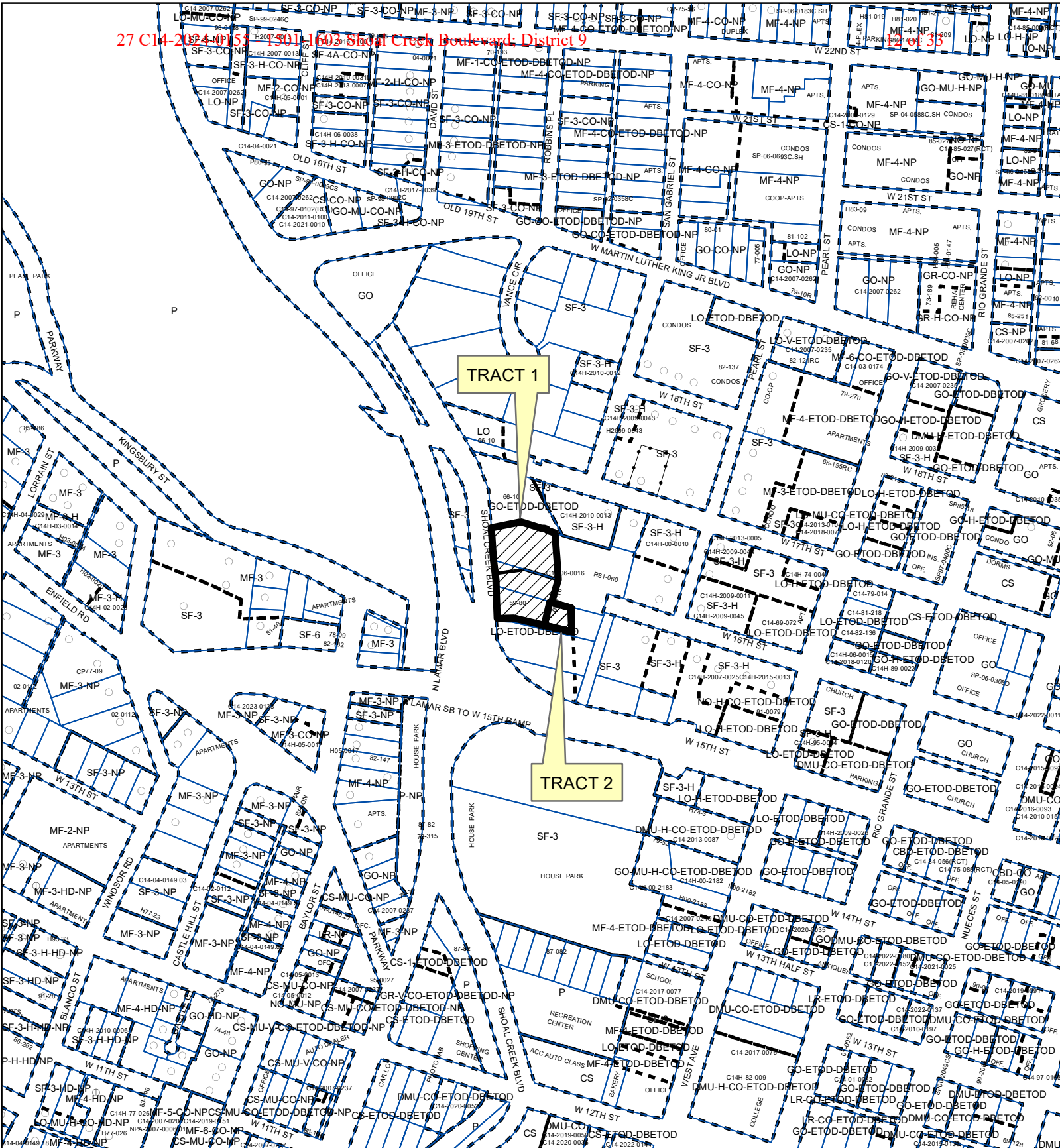
Attachment A: Applicant's Amendment Request Letter  
Attachment B: Applicant's Summary Letter

Attachment C: Zoning Transportation Analysis (ZTA)  
Attachment D: Valid Petition information

Correspondence

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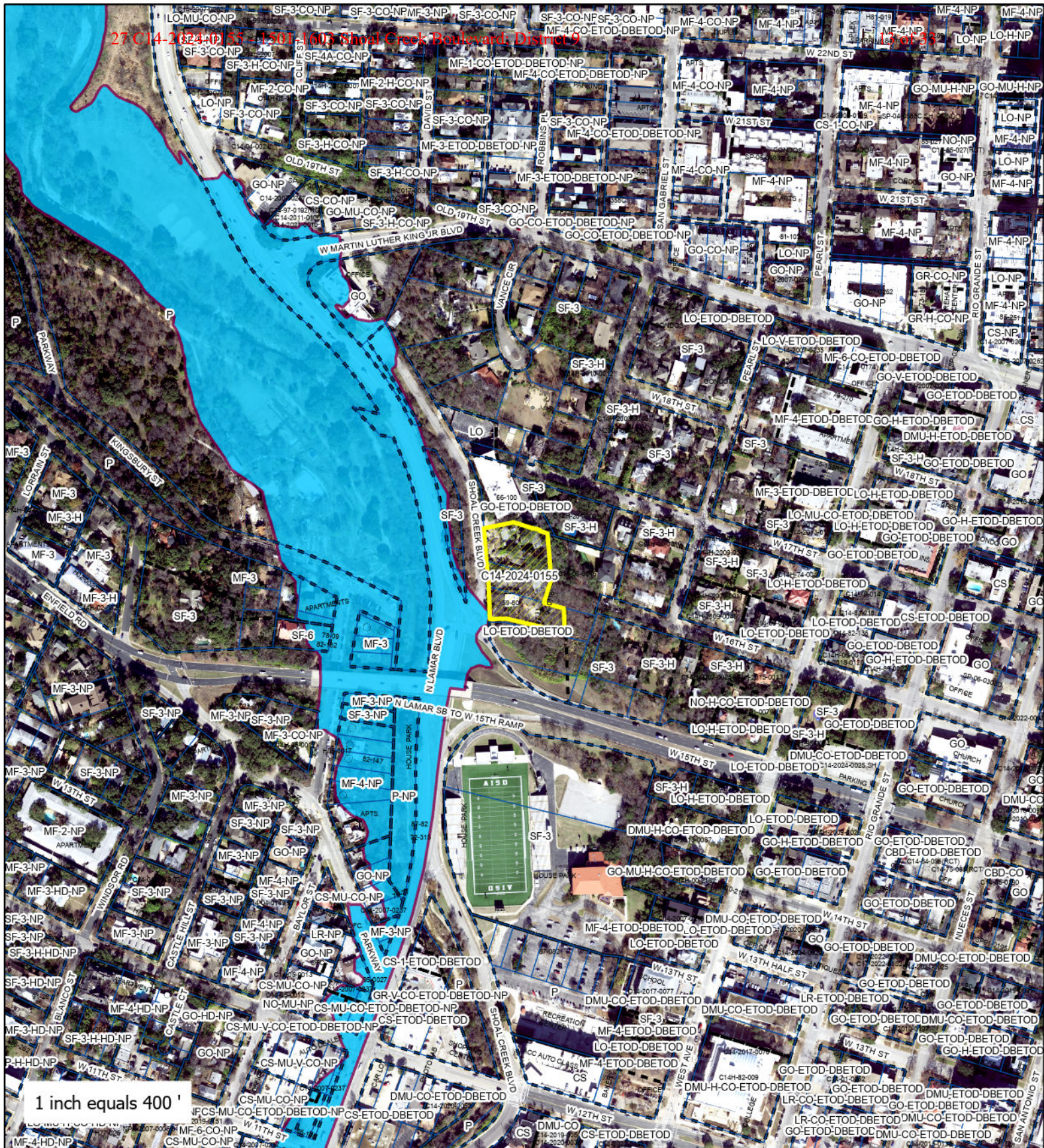
14-01-33





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## 1501-1603 Shoal Creek Boulevard

ZONING CASE#: C14-2024-0155  
LOCATION: 1501-1603 Shoal Creek Blvd.  
SUBJECT AREA: 1.418 Acres  
MANAGER: Cynthia Hadri

### EXHIBIT A-1



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

Created: 11/12/2024



## ATTACHMENT A

**DRENNER**  
GROUP

March 11, 2025

Lauren Middleton-Pratt  
Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive  
Austin, TX 78752

Via Electronic Delivery

Re: 1501-1603 Shoal Creek Boulevard – Zoning application for the 1.418-acre property located at 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard, Austin, Travis County, Texas 78701 (the “Property”).


Dear Ms. Middleton-Pratt,

As representatives of the owner of the Property, we respectfully submit this letter to amend the application currently under review, assigned zoning case no. C14-2024-0155 for the project titled 1501-1603 Shoal Creek Boulevard, initially submitted on October 11, 2024.

The requested zoning is from GO-ETOD-DBETOD and LO-ETOD-DBETOD to GR-MU-V- ETOD-DBETOD (Community Commercial – Mixed Use – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 1”, and LO-MU-ETOD-DBETOD (Limited Office – Mixed Use – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 2”. With this amendment, we would like to amend the requested rezoning from GO-ETOD-DBETOD to GO-V-ETOD-DBETOD (General Office – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development) on Tract 1 and from and LO-ETOD-DBETOD to LO-MU-V-ETOD-DBETOD (Limited Office – Mixed Use – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development) on Tract 2.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this matter.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)  
Nancy Estrada, Planning Department (*via electronic delivery*)  
Cynthia Hadri, Planning Department (*via electronic delivery*)

# DRENNER GROUP

## ATTACHMENT B

January 14, 2025

Ms. Lauren Middleton-Pratt  
Planning Department  
City of Austin  
6310 Wilhelmina Delco Drive Austin,  
TX 78752

Re: 1501-1603 Shoal Creek Boulevard – Rezoning application for the 1.418-acre property located at 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard, Austin, Travis County, Texas 78701 (the “Property”).

Dear Ms. Middleton-Pratt:

As representatives of the owners of the Property, we respectfully submit the enclosed rezoning application package. The submittal is titled 1501-1603 Shoal Creek Boulevard and is approximately 1.418 acres of land, located at the northeast corner of N Lamar Boulevard and the Eastbound 15<sup>th</sup> Street to Northbound Lamar Ramp. The Property is located within the full purpose jurisdiction of the City of Austin.

The Property is currently zoned GO-ETOD-DBETOD (General Office – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development) and LO-ETOD-DBETOD (Limited Office – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development). The requested zoning is from GO-ETOD-DBETOD and LO-ETOD-DBETOD to GR-MU-V- ETOD-DBETOD (Community Commercial – Mixed Use – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 1”, and LO-MU-ETOD-DBETOD (Limited Office – Mixed Use – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 2”.

The purpose of this rezoning is to allow for the redevelopment of the Property into a transit-supportive residential use within the Imagine Austin Downtown Regional Center. The Imagine Austin Comprehensive Plan states on pages 104 and 105 that, “Regional Centers are intended to provide increased density of people and jobs through the development of low to high-rise apartments and mixed-use buildings.” This request is supportive of the City of Austin’s Strategic Housing Blueprint goal of locating 75% of new housing units within one-half mile of Imagine Austin’s Centers & Corridors. We respectfully request to modify the requirement to provide pedestrian-oriented uses along 75% of the building’s principal frontage on Shoal Creek Boulevard to 0%, as permitted by the City’s Land Development Code Section 25-2-654 (G)(4)(f). This request is based on the unique characteristics of the Property and its surrounding context. While the property is well-positioned to support transit options, Shoal Creek Boulevard, classified as a Level 1 street under the Austin Strategic Mobility Plan, does not provide the level of foot traffic or commercial viability typically necessary to sustain pedestrian-oriented uses. Additionally, the property features a significant 27-foot horizontal grade change along Shoal Creek Boulevard, further limiting the feasibility of creating viable



pedestrian-oriented commercial spaces. This modification will allow for a more context-sensitive development approach that aligns with the street's functional and topographical characteristics.

The Property is located in the Judges Hill District of the Downtown Austin Plan, which is also identified as a Regional Center within the Imagine Austin Plan. The Downtown Austin Plan does not have a Future Land Use Map ("FLUM"); therefore, a Neighborhood Plan Amendment is not required. The Property is located in a portion of Downtown Austin that is ineligible for participation in the Downtown Density Bonus Program.

A neighborhood traffic analysis (NTA) is required with this rezoning request, per the attached TIA Determination waiver dated July 31, 2024 and executed by Mustafa Wali.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this development.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)  
Cynthia Hadri, Planning Department (*via electronic delivery*)




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## MEMORANDUM

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**To:** Katie Strain  
**CC:** Kaylie Coleman, Matiur Rahman, Bryan Golden  
**FROM:** Manar Hasan, P.E.  
**DATE:** February 14, 2025  
**SUBJECT:** 1507 Shoal Creek Boulevard Neighborhood Traffic Analysis (C14-2024-0155)

The proposed development consists of 124 multifamily housing units and 3 single family dwelling units. The site is a 1.418-acre tract on Shoal Creek Boulevard, east of N Lamar Boulevard, as shown in Figure 1 below. This site proposes access to Shoal Creek Boulevard, which is a Level 1 street. The Transportation Development Services (TDS) division has conducted an NTA and offers the following comments.



Figure 1: Site Location

### **Roadways**

**Shoal Creek Boulevard:** The ASMP designates Shoal Creek Blvd as a Level 1 road. The pavement width of Shoal Creek Blvd along the site frontage is approximately 30 feet. There are two unstriped travel lanes and on street parking with curb and gutter along the site frontage of Shoal Creek Blvd. There is no continuous sidewalk in the vicinity of the site on Shoal Creek Blvd. It functions as a 30-mph street. According to the ASMP, the required right-of-way of Shoal Creek Blvd in the vicinity of the site is 58/64 feet.

### **Trip Generation and Traffic Analysis**

Based on the Institute of Transportation Engineer's Trip Generation Manual, 11<sup>th</sup> Edition, the proposed development will generate 392 adjusted vehicle trips per day. See Table 1 for a detailed breakdown of the trip generation.

**Table 1. Trip Generation**

Land Use	ITE Code	Units	Trip Generation
<b>Existing</b>			
Single-Family Detached Housing	210	2 Dwelling Units	28
Multifamily Housing (Low-Rise)	220	14 Dwelling Units	165
<b>Proposed</b>			
Single-Family Detached Housing	210	3 Dwelling Units	40
Multifamily Housing (Mid-Rise)	221	124 Condominiums	545
<b>NET TRIPS</b>			<b>392</b>

24-hour traffic volumes were collected at two points, see Figure 2 below, on Shoal Creek Blvd on January 14<sup>th</sup>, 15<sup>th</sup>, and 16<sup>th</sup>, 2025.



*Figure 2: Tube count locations*

Table 2 provides an assumed trip distribution for the proposed land uses. This development proposes access to Shoal Creek Blvd. It has been assumed 80% of the site traffic will use Shoal Creek Blvd east of N Lamar Blvd to access the site and 20% of the site traffic will use Shoal Creek Blvd north of 15<sup>th</sup> WB to Lamar NB Ramp to access the site.

**Table 2. Trip Distribution**

<b>Street</b>	<b>Expected Trip Distribution (Percentage)</b>
Shoal Creek Blvd, East of N Lamar Blvd (Location 1)	<b>80%</b>
Shoal Creek Blvd, North of 15 <sup>th</sup> WB to Lamar NB Ramp (Location 2)	<b>20%</b>

Table 3 represents a breakdown of traffic on Shoal Creek Blvd: existing traffic, proposed site traffic, and total traffic after development.

**Table 3. Traffic Summary**

<b>Street</b>	<b>Adjusted Existing Traffic from Counts (vehicles per day, vpd)</b>	<b>Site Traffic added to Roadway (vpd)</b>	<b>Total Future Traffic (vpd)</b>
Shoal Creek Blvd, East of N Lamar Blvd (Location 1)	303	314	617
Shoal Creek Blvd, North of 15 <sup>th</sup> WB to Lamar NB Ramp (Location 2)	119	78	197

According to Section 25-6-116 of the Land Development Code (LDC), residential local or collector streets that have between 30 and 40 feet of pavement width are operating at an undesirable level if the average daily traffic volume for such a roadway exceeds 1,800 vehicles per day. Based on the LDC criteria, Shoal Creek Blvd is currently operating at desirable levels and will continue operating at desirable levels with the addition of site traffic.

This site will be subject to Street Impact Fee (SIF), which will help fund roadway capacity projects identified in RCP necessitated by new developments. SIF calculation shall be performed during the Site Plan review and fee will be collected at the time of building permit. For SIF-related information, please visit the City's SIF website (<https://www.austintexas.gov/department/street-impact-fee>).

This assessment is based on the proposed uses and access; any changes in these assumptions may require an updated NTA. This NTA does not grant nor guarantee approval of proposed driveway types or locations. Driveway types and locations will be reviewed with the site plan application.

Please contact me at [manar.hasan@austintexas.gov](mailto:manar.hasan@austintexas.gov) if you have questions or require additional information.

Sincerely,



Manar Hasan, P.E.

Transportation and Public Works Department, City of Austin

**Nancy Estrada**  
Planner Principal, Current Planning Division  
Planning Department  
512-974-7617  
[nancy.estrada@austintexas.gov](mailto:nancy.estrada@austintexas.gov)

Hello Nancy,

Thank you again for the meeting on Monday with the City staff.

Attached are petitions in opposition to the proposed Citiscape Development at 1501-1603 Shoal Creek Blvd. Rezoning Application C14-2024-0155 from all the qualifying neighbors within 200 feet of the property.

The Judges Hill Neighborhood Assn (JHNA) of which I am a member and a designated spokesperson and the homeowners whose properties are near and/or adjacent to the proposed development by Citiscape have the following two significant concerns regarding the proposed development:

(1) stability of the slopes below a Critical Environmental Feature (CEF), and (2) traffic safety issues caused by the fact that there is only one unregulated entry/exit from Lamar Blvd for all of the additional cars that will result from the newly constructed 124 units and 3 additional SF3 structures. There is a second entry from the 15th Street ramp but it cannot be used as an exit. The remainder of this letter provides a brief summary of these concerns and requests that the city require the developer to provide geologic data and geotechnical engineering plans at this stage of the application process.

**SLOPE STABILITY:** We have recently consulted with Mr. Phil Bullock, P.G. and Dr. Bob Gilbert, P.E. regarding the proposed site and development. They both recently visited the site and confirmed the presence of a major Critical Environmental Feature (CEF) immediately upslope of the proposed development. Per the City of Austin Environmental Criteria Manual (ECM) definitions, the CEF is a "canyon rimrock" structure associated with a Buda Limestone bluff overlying the soft slopes of the Del Rio Clay formation. As the City is well aware, this particular geologic setting has been the source of several major slope failures involving the Del Rio Clay within mere blocks of the proposed development. These slope failures have caused significant property damage and safety risks to the public.

A photo from their site visit that shows the current condition of the marginally stable slopes of the Del Rio Clay is provided. We are concerned that the geologic setting at the site can lead to similar catastrophes if any excavation of the Del Rio Clay at the toe of the slope occurs as part of the proposed development. It is important that the proposed development fully evaluates and properly designs the foundations and the temporary and permanent lateral support structures in a way that accounts for the presence of the CEF and the Del Rio Clay.

**TRAFFIC SAFETY:** We are extremely concerned about the safety issues that will arise when the extra cars from the 124 unit project and the 3 SF3 structures and whatever traffic is generated by the first floor retail/commercial businesses attempt to enter and exit at the intersection of Shoal Creek and Lamar. See attached map showing this northern entry/exit. Specifically, we foresee that it will be particularly dangerous to attempt to enter into this intersection (which is more like a driveway) when traveling south on Lamar and when attempting to exit to get into the southbound lane from Shoal Creek Blvd.



A traffic light already exists at MLK and Lamar, approximately 100 feet to the north - making a second traffic light seems more of a redundant complication than a potential solution. We see this as an important issue and appreciate that the City is requiring a Traffic Impact Analysis (TIA)

REQUEST: We believe that the Planning Commission and the City Council need to be informed of the risks to public safety this application poses, rather than have them decide on a zoning change without the full picture. The developer has not yet even acknowledged the existence of the CEF in any of the documents we have seen. We are concerned that this omission is because the existence of the CEF complicates its application and it would like to have the zoning decision be made without these facts being in the zoning record. We believe the opposite approach of transparency is needed in this case. Therefore, we request that the developer provide the geologic data he will ultimately need to try to design a geotechnical approach that will seek to appropriately deal with this CEF issue, and if he has the geotechnical design already created, provide that as well. Waiting until the site plan stage to provide this critical information, when the decision about the adequacy of the data and the design does not have to be acted upon by the Council, helps the developer but would be a disservice to the Council, staff members who have to make a recommendation, the public and to the signatories of the valid petition (copy attached).

Thank you for your attention to our concerns. The risk to public safety and the potential damage to property caused by this proposed development are significant.

We look forward to meeting with the staff to discuss our geologic and geotechnical concerns.

Please feel free to contact Paul Gosselink at 512-750-6166

if you have any questions.

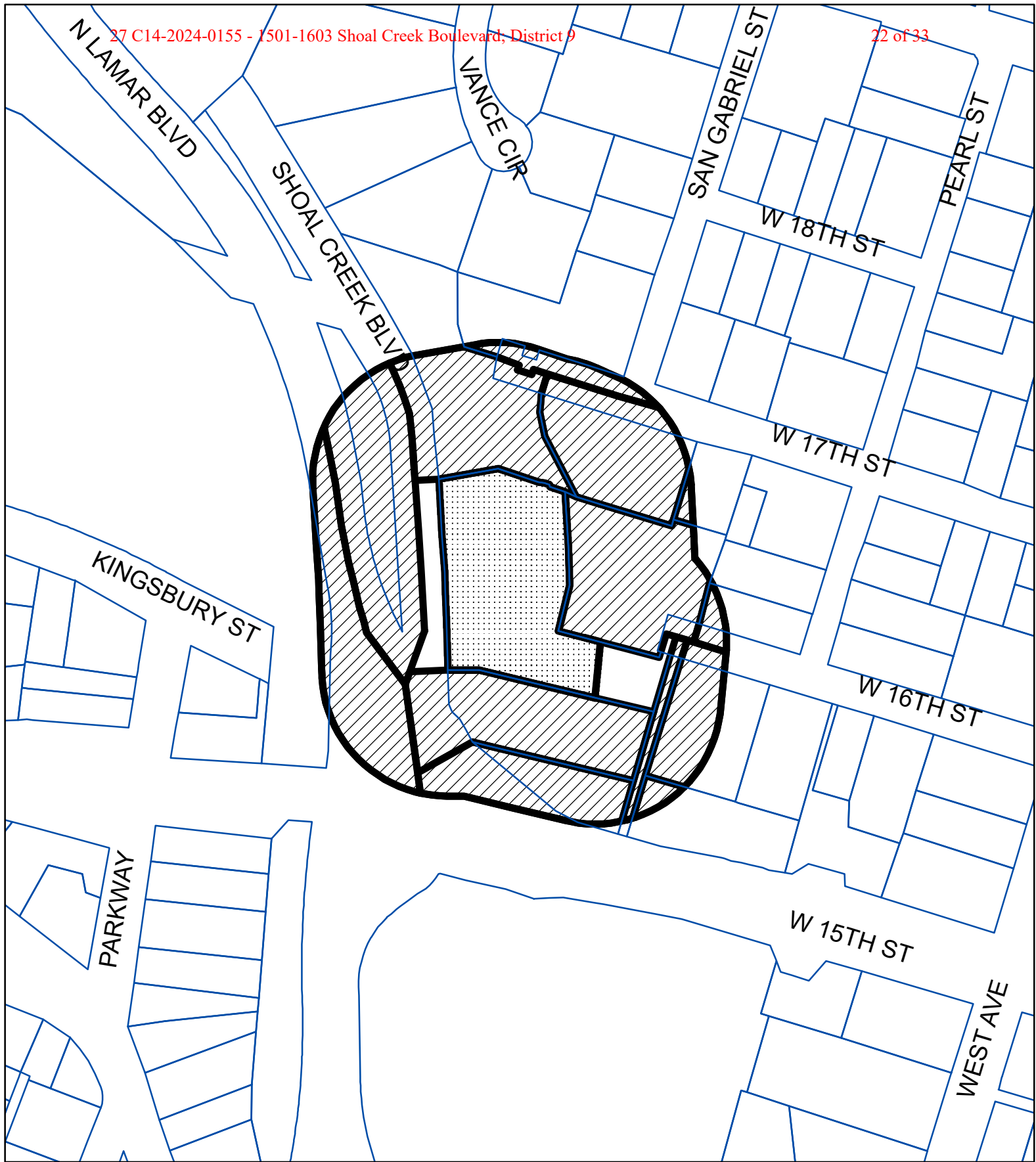
*Megan Meisenbach 3/15/2025*

Megan Meisenbach

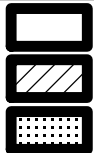
Judges Hill Neighborhood

[meganmeisenbach05@gmail.com](mailto:meganmeisenbach05@gmail.com)

512-940-2615



N



BUFFER

PROPERTY\_OWNER

SUBJECT\_TRACT

## PETITION

Case#: C14-2024-0155

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

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



1" = 200'



Case Number:  
**C14-2024-0155**

## PETITION

Date: 3/21/2025

Total Square Footage of Buffer: 345624.6178

Percentage of Square Footage Owned by Petitioners Within Buffer: 43.73%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0211010725	1609 SHOAL CREEK BLVD 78701	AUSTIN EQUITY INVESTORS LTD	yes	42881.52	12.41%
0112000319	1700 SAN GABRIEL ST AUSTIN 78701	BLAKESLEE JULIE D & JOHN WILLIAM SHELBY SPONG	yes	8327.27	2.41%
0211010727	903 W 17 ST 78701	BRADSHAW ELIZABETH S MORIN	yes	1440.10	0.42%
0112000401	N LAMAR BLVD 78701	CITY OF AUSTIN	no	39502.24	0.00%
0211010720	SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	45279.12	0.00%
0211010719	1501 SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	26304.55	0.00%
0211010601	SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	50901.63	0.00%
0211010707	W 16 ST 78701	CITY OF AUSTIN	no	5078.30	0.00%
0211010730	W 16 ST 78701	CITY OF AUSTIN	no	2643.01	0.00%
0211010708	903 W 16 ST 78701	GOSSELINK PAUL & MARGARET L	yes	17574.89	5.08%
0211010703	1604 PEARL ST AUSTIN 78701	KUNZ JOSEPH DAVID LIVING TRUST	yes	10.93	0.00%
0211010726	1001 W 17 ST 78701	PRINCE EDWARD RUDOLPH III & CATHERINE CRAFT PRINCE	yes	36888.54	10.67%
0211010704	900 W 16 ST 78701	SWANN DENISE	no	3354.27	0.00%
0211010731	908 W 16 ST 78701	TUSCANY TRUST	yes	44018.03	12.74%
<b>Total</b>				<b>324204.39</b>	<b>43.73%</b>

File Number: C-14-2024-0155

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025

Page 1**PETITION**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the present classification SF-3, LO-ETOD-DBETOD (Tract 2) and GO- ETOD-DBETOD (Tract 1) or more restrictive residential zoning.

**REASON**

- **CRITICAL ENVIRONMENTAL FEATURES [CEF's].** The Project tracts contain CEFs, including Canyon Rimrock, that are also on neighboring lots, posing a great risk of slope failure. With the recent slope collapses on both sides of North Lamar Boulevard no development which increases the risk of slope failure should be allowed and no variance should be allowed to bypass the City's rules regarding required distance from CEF's on this site, especially given recent slope failures which illustrate the ongoing risk.
- **DISRUPTION OF TRAFFIC ON LAMAR.** With only 1 exit from Shoal Creek Blvd, the increase in traffic generated by the Project [124 residential units, plus commercial spaces] will create a disruption to the flow of North Lamar. Through high traffic periods it will be very difficult to turn into the Project from southbound Lamar, or to turn south onto Lamar from the Project. This will present a traffic condition conducive to accidents.
- **FEMA FLOODPLAIN/SHOAL CREEK WATERSHED/EMERGENCY SERVICE.** The Project's narrow street, Shoal Creek Blvd, has only 1 exit and two entrances, one of which is in the FEMA flood plain and both are within the boundaries of the Shoal Creek Watershed. This limited access will create difficulties during flooding (Shoal Creek flooded in 1915, in 1981 when 13 people died, and in 2015) or fire rescue of the occupants of the proposed 124-unit condo building and ground-floor commercial uses. This will endanger residents, customers, and emergency personnel.
- **INCOMPATIBILITY WITH THE DOWNTOWN AUSTIN PLAN [DAP].** The proposed zoning changes are not compatible with DAP, which calls for no changes to zoning and preserves the single-family character of the Judges Hill District. The proposed zoning would allow for a 90-foot-tall building that is inconsistent with the adjacent single-family homes.
- **INCOMPATIBILITY WITH THE PEASE PARK GREENBELT.** The proposed zoning would allow a 90-foot-tall building that would be completely inconsistent with the welcoming ambiance of Pease Park's greenbelt and gateway to Downtown.

**LEGAL OBLIGATION OF LATERAL SUPPORT.** The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number 0211010725 Plat Number: 21101 Block Number: 07 Lot Number: 25

Legal Description: TRT 1 OLT 11FT Div E ROGERS BROS SUBD

Phone Number: 806-674-8798

Printed Name: David Allison

Signature:



David Allison for Austin Equity Investors, LTD 1609 Shoal Creek Blvd. Austin, TX 78701

Mailing Address: 7604 Rustling Cv, Austin, TX 78731 Email: david@allison-firm.com

Address: 1609 Shoal Creek Blvd. Austin, TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025Page 2**P E T I T I O N**

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Parcel Number 0112000319 Plat Number 11200 Block Number 03 Lot Number 19

Legal Description: Lot 1 &amp; E 85FT AV OF LOT 18 VANCE PARK OLT 12-14 DIV E PLUS ½ ADJ VAC ST &amp; 384 SF of VAC ST &amp; 80x200

Phone Number: \_\_\_\_\_ Printed Name: Blakeslee Julie D &amp; John William Shelby Spong

Signature: \_\_\_\_\_

Address: 1700 San Gabriel Street, Austin TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025Page 3**PETITION**

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**LEGAL OBLIGATION OF LATERAL SUPPORT.** The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number: 0211010727    Plat Number: 21101

Block Number: 07 Lot Number: 27

Legal Description: LOT A HOEY ADDN THE

Phone Number: \_\_\_\_\_

Printed Name: Bradshaw Elizabeth S Morin

Secondary Name: Life Estate

Signature: \_\_\_\_\_

Address: 903 West 17<sup>th</sup> Street, Austin TX 78701-1006

File Number: C-14-2024-0155

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 2025 3/15/2025Page 4**PETITION**

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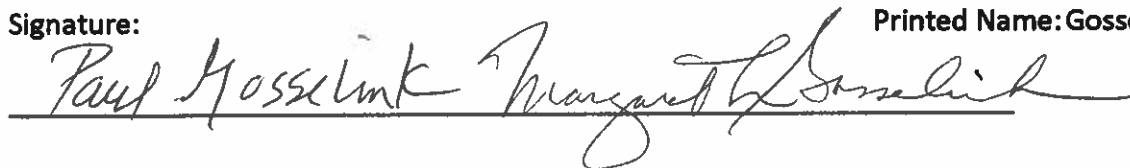
Parcel Number 0211010708 Plat Number 21101 Block Number 07 Lot number 08

Legal Description: 154 X 176 FT OLT 9 Division E

Phone Number: 512-750-6166

Signature:

Printed Name: Gosselink Paul &amp; Margaret L

Address: 903 West 16<sup>th</sup> Street, Austin TX 78701



File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025Page 5**PETITION**

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**LEGAL OBLIGATION OF LATERAL SUPPORT.** The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number 0211010703 Plat Number: 21101 Block Number: 07 Lot Number: 03  
Legal Description: 65 X 166.22 FT OF OLT 11 Div E

Phone Number: 512.730.9650

Printed Name: Kunz Joseph David Living Trust

Signature:



Address: 1604 Pearl Street, Austin, TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025Page 6**PETITION**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the present classification SF-3, LO-ETOD-DBETOD (Tract 2) and GO-ETOD-DBETOD (Tract 1) or more restrictive residential zoning.

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**LEGAL OBLIGATION OF LATERAL SUPPORT.** The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number 0211010726 Plat Number 21101

Block Number 07 Lot number 26

Legal Description: Lot 2 OLT OLT 11 Div E MCCLENDON ANNE WATT SUBD

Phone Number: \_\_\_\_\_

Signature:

Printed Name: Prince Edward Rudolph III &amp; Catherine Craft Prince



Address: 1001 W 17th Street, Austin TX 78701



File Number: C-14-2024-0155

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025Page 7**PETITION**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the present classification SF-3, LO-ETOD-DBETOD (Tract 2) and GO-ETOD-DBETOD (Tract 1) or more restrictive residential zoning.

**REASON**

- **CRITICAL ENVIRONMENTAL FEATURES [CEF's].** The Project tracts contain CEFs, including Canyon Rimrock, that are also on neighboring lots, posing a great risk of slope failure. With the recent slope collapses on both sides of North Lamar Boulevard no development which increases the risk of slope failure should be allowed and no variance should be allowed to bypass the City's rules regarding required distance from CEF's on this site, especially given recent slope failures which illustrate the ongoing risk.
- **DISRUPTION OF TRAFFIC ON LAMAR.** With only 1 exit from Shoal Creek Blvd, the increase in traffic generated by the Project [124 residential units, plus commercial spaces] will create a disruption to the flow of North Lamar. Through high traffic periods it will be very difficult to turn *into* the Project from southbound Lamar, or to turn south *onto* Lamar from the Project. This will present a traffic condition conducive to accidents.
- **FEMA FLOODPLAIN/SOAL CREEK WATERSHED/EMERGENCY SERVICE.** The Project's narrow street, Shoal Creek Blvd, has only 1 exit and two entrances, one of which is in the FEMA flood plain and both are within the boundaries of the Shoal Creek Watershed. This limited access will create difficulties during flooding (Shoal Creek flooded in 1915, in 1981 when 13 people died, and in 2015) or fire rescue of the occupants of the proposed 124-unit condo building and ground-floor commercial uses. This will endanger residents, customers, and emergency personnel.
- **INCOMPATIBILITY WITH THE DOWNTOWN AUSTIN PLAN [DAP].** The proposed zoning changes are not compatible with the DAP, which calls for no changes to zoning and preserves the single-family character of the Judges Hill District. The proposed zoning would allow for a 90-foot-tall building that is inconsistent with the adjacent single-family homes.
- **INCOMPATIBILITY WITH THE PEASE PARK GREENBELT.** The proposed zoning would allow a 90-foot-tall building that would be completely inconsistent with the welcoming ambiance of Pease Park's greenbelt and gateway to Downtown.
- **LEGAL OBLIGATION OF LATERAL SUPPORT.** The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number: 0211010731

Tax Plat Number: 21101 Lot Number 31

Legal Description: Lot 1 of JUST HOME SUBDIVISION, A REPLAT OF WEST 16<sup>TH</sup> PLACE, A Subdivision in Travis County, Texas, according to the plat recorded in Document No. 200600207 of the Official Public Records of Travis County, Texas.

Phone Number: (512) 236-2390

Signature: 

Printed Name William Hartwig, as Co-Trustee of  
The Tuscany Trust established June 1, 2020

Address: 908 West 16th Street, Austin, Texas, 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025Page 8**PETITION**

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the present classification SF-3, LO-ETOD-DBETOD (Tract 2) and GO- ETOD-DBETOD (Tract 1) or more restrictive residential zoning.

**REASON**

- **CRITICAL ENVIRONMENTAL FEATURES [CEF's].** The Project tracts contain CEFs, including Canyon Rimrock, that are also on neighboring lots, posing a great risk of slope failure. With the recent slope collapses on both sides of North Lamar Boulevard no development which increases the risk of slope failure should be allowed and no variance should be allowed to bypass the City's rules regarding required distance from CEF's on this site, especially given recent slope failures which illustrate the ongoing risk.
- **DISRUPTION OF TRAFFIC ON LAMAR.** With only 1 exit from Shoal Creek Blvd, the increase in traffic generated by the Project [124 residential units, plus commercial spaces] will create a disruption to the flow of North Lamar. Through high traffic periods it will be very difficult to turn *into* the Project from southbound Lamar, or to turn south *onto* Lamar from the Project. This will present a traffic condition conducive to accidents.
- **FEMA FLOODPLAIN/SHOAL CREEK WATERSHED/EMERGENCY SERVICE.** The Project's narrow street, Shoal Creek Blvd, has only 1 exit and two entrances, one of which is in the FEMA flood plain and both are within the boundaries of the Shoal Creek Watershed. This limited access will create difficulties during flooding (Shoal Creek flooded in 1915, in 1981 when 13 people died, and in 2015) or fire rescue of the occupants of the proposed 124-unit condo building and ground-floor commercial uses. This will endanger residents, customers, and emergency personnel.
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**LEGAL OBLIGATION OF LATERAL SUPPORT.** The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.


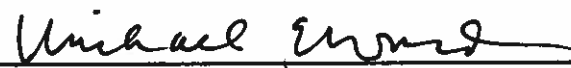
Parcel Number 0211010709 Plat Number: 21101 Block Number: 07 Lot Number: 09

Legal Description: 104 X 176 FT OLT 9 Division E

Phone Number: 512-532-9561

Printed Name: Ward Michael E

Signature:

Address: 901 W 16<sup>th</sup> Street, Austin TX 78701

## The Tuscany Trust

908 West 16th Street  
Austin, Texas 78701-1504

January 3, 2025

Ms. Lauren Middleton-Pratt  
City of Austin Planning Department  
6310 Wilhelmina Delco Drive  
Austin, Texas 78752

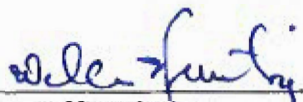
RE: C14-2024-0155 (1501-1603 Shoal Creek Blvd.): Written Protest to  
Rezoning

Dear Ms. Middleton-Pratt:

The undersigned is the owner (the "*Owner*") of property located at 908 W. 16th Street (TCAD Property ID No. 726994), said property being located within 200 feet of the property proposed for rezoning at 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard in Austin. The Owner hereby files this written protest to the proposed rezoning of 1501-1603 Shoal Creek Boulevard pursuant to Section 211.006(d) of the Texas Local Government Code.

Owner files this objection in conjunction with Owner's neighbors as part of a valid petition.

In addition to protesting the proposed rezoning, the Owner files this written protest and valid petition to also preserve the Owner's right to protest the undisclosed and therefore unknown aspects of the site plan proposed for 1501-1603 Shoal Creek Boulevard.

  
\_\_\_\_\_  
William Hartwig, as Co-Trustee of The Tuscany  
Trust established June 1, 2020

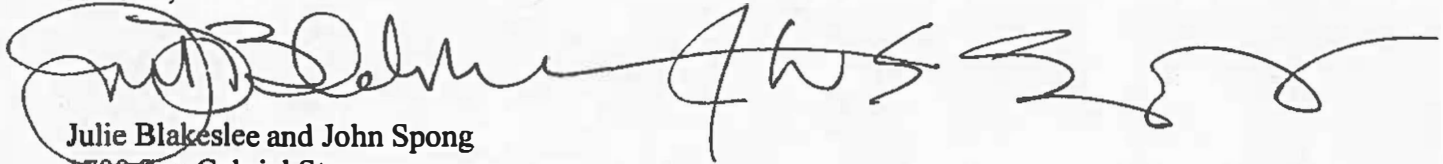
SENT BY CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED  
AND COPY BY FIRST CLASS MAIL

c: Jackson Walker LLP  
Attn: Tim Taylor

Austin City Council.  
City Hall  
301 West 2nd St  
Austin, TX 78701

We the undersigned owners of property within 200 feet of the proposed project by Citiscape (comprised of the following lots: 1501, 1507, 1509, 1511, 1601 and 1603 Shoal Creek Blvd) file this objection to Citiscape's rezoning application. We file this objection in conjunction with our neighbors as part of a valid petition. We file this objection and valid petition in order to also preserve our right to object to the undisclosed and thereby unknown aspects of the site plan.

All best,

A large, fluid handwritten signature in black ink, likely belonging to Julie Blakeslee and John Spong, spanning across the middle of the page.

Julie Blakeslee and John Spong  
1700 San Gabriel St.  
Austin, TX 78701