



**ETLCNA Serving the East Austin Community since 1974**

5/24/2016

David Stauch, Managing Principal  
Capital Project Management  
222 West Avenue, Ste 200,  
Austin, TX 78701

RE: Proposed Amendment C20-2015-019  
Festival Beach Waterfront Overlay

Dear Mr. Stauch,

Our letter of May 17, which we delivered to your attention during a meeting with the city, was mainly concerned with the impact of a rollback on impervious cover in the local FBWO.

I will clarify up front that **the ETLCNA supports our low income seniors and housing that is truly affordable.** That has and never will be in question.

Unfortunately we were not involved in the initial vetting process of the RBJ development until the very end and most items were already decided. Another non-profit developer who had bid on the RBJ told us that original 40% impervious cover was more than adequate for the scope of development. So we were surprised when we ran across this proposed amendment to the ordinance.

Moreover, no one had previously hinted that there was a capital shortfall for this project and we're still unclear on the private firm's plans—but we will inquire further on this.

While on the surface there appear to be adequate protections against development that does not benefit our low income seniors, could there be any possible harm in adding a short phrase, (possibly as a friendly amendment) to ensure the scope of the rollback is limited to the RBJ Project? Please note that the eastern end of the FBWO extends to Pleasant Valley Road and north to Willow Street in a residential area adjacent to a large area of parkland.

While we cannot immediately imagine what might meet the apparently restrictive criteria, experience has taught us that there many creative ways to develop. Furthermore, there has been talk of mixed use developments similar to RBJ suggested for the east portion of FBWO.

ETLCNA thanks AGC for its successful management of the RBJ Center, and look forward to seeing the improved living conditions for its residents.

But we would very much appreciate a clarification of this ordinance amendment to ensure the future protection of the FBWO.

Sincerely, Bertha Marie Delgado, ETLCNA President



May 19, 2016

Ms. Bertha Delgado, President  
Ms. Elisa Montoya, Vice President  
Ms. Carol Stall, Secretary  
East Town Lake Citizens Neighborhood Association  
1705 Haskell Street  
Austin, TX 78702

RE: Proposed Amendment C20-2015-019  
Festival Beach Waterfront Overlay

Dear Ms. Delgado, Ms. Montoya and Ms. Stall:

Thank you for your letter of May 17, which was delivered to my attention during a meeting with the City. I am the project manager for Austin Geriatric Center ("AGC"), a 501(c)(3) nonprofit organization that has owned and operated the Rebekah Baines Johnson Center at its current location for more than 40 years. Its mission is to provide housing for **low income seniors**.

I appreciate your interest in our project and, to that end, I would like to offer some facts that might not have been available to you prior to your letter.

- The proposed amendment was initiated by the AGC on behalf of its current and future residents - not a developer as noted in your second paragraph. The positive outcome of such an amendment will be doubling the inventory of affordable housing on site for **low income seniors**.
- AGC's mission / goal includes doubling the number of affordable units on the property, but (as a nonprofit entity) AGC does not have the money with which to complete the project. Accordingly, it has entered into an agreement to sell a portion of its property to a private firm, and the proceeds of the land sale would be used to build new affordable housing and to renovate the existing tower for occupancy by **low income seniors**.
- If AGC is required to comply with the impervious cover requirements of the existing ordinance, its estimated net land sale proceeds (\$4 million) would be inadequate to provide needed equity for the project. If the ordinance is amended as proposed, the estimated \$12 million in land sale proceeds, together with other anticipated funds, should be sufficient to enable the project to move forward. All of the proceeds of the land sale would be used to construct new or renovate existing housing for **low income seniors** and none of the proceeds of the sale will be distributed to any private individual. The difference between \$4 million and \$12 million refers to the funding gap for AGC – not revenue to developers.

- The project(s) to be developed by the purchaser of the land parcels will be operated in connection with the affordable housing project of RBJ and operated under a common set of deed restrictions. The vision for the whole development is a diverse community that will complement and benefit the neighborhood, and has been discussed over a period of several years with the East Cesar Chavez Neighborhood and adjacent groups.
- The proposed amendment to the ordinance does not open up the entire FBWO to lower development or environmental standards as noted in your third paragraph. Indeed, anyone wishing to develop under the amendment to the ordinance would need to satisfy all of the following criteria:
  - Congregate care and retail uses on 15 or more acres
  - Adjacent to 1.5 or more acres of parkland or publically accessible open space
  - Deeply affordable housing
  - Enhanced water quality features
- Your fourth paragraph refers to the goals of the project, which remain exactly as originally “pitched” to the community. As chief pitcher, I can personally attest to that, as I typically lead each presentation with the 5 guiding principles that are noted on page one of our master plan:
  - Continue to provide safe, affordable housing on site
  - Provide upgraded amenities
  - Expand affordable housing to the elderly
  - Add other affordable / mixed income housing and mixed uses consistent with neighborhood plan
  - Be good stewards of the land

I hope the above clarifications will aid in your favorable perception of this project.

Sincerely,



David Stauch  
Managing Principal



5/17/2016

East Town Lake Citizens Neighborhood Association

Dear Planning Commission Members,

ETLCNA is concerned about the proposed amendment to C20-2015-019: Festival Beach Waterfront Overlay (FBWO) that increases the amount of impervious cover allowed for development.

First, the developer states that the change was requested in part due to monetary concerns. (i.e. \$12 million dollars can be made instead of a mere \$4 million). While we sympathize with the developer's fiduciary concerns, we feel that request is excessive and sets a very bad precedent for the city's precious waterfront areas.

Second, the impervious cover requirements appear to apply to the whole FBWO area- which potentially opens the door for further development within that subsection.

The goal of the RBJ improvements was originally (and as pitched to the community) to improve the living conditions of elderly RBJ residents—not to provide developers with large profits.

Given that the Festival Beach Waterfront Overlay sub-district is one of the last unbroken, uncluttered vistas stretching from one side of the flood plain to the other, we would like to preserve that for all locals and for visitors. We feel this has value far beyond and more lasting than immediate monetary gain.

Please ask the developer to come up with some creative ideas for working within the current FBWO standards, instead of changing the rules for the entire area.

Sincerely,

Bertha Delgado, Pres. ETLICNA. Elisa Montoya, Vice President, Carol Stall, Sec. ETLICNA



May 19, 2015

Maureen Meredith, Senior Planner  
City of Austin - Planning & Development Review Department  
505 Barton Springs Rd, 5th Floor  
Austin, TX 78704

**RE: FLUM amendment and zoning amendment for 21 Waller Street (RBJ Center)**

Dear Ms. Meredith:

The East Cesar Chavez Neighborhood Planning Team is writing in support of an ECCNP FLUM amendment and a zoning amendment for 21 Waller Street, as part of the redevelopment of the RBJ tower. Austin Geriatric Center (the owner), their Board of Directors and Capital Project Management have worked with members of the ECCNPT since 2011 to help keep the community involved and adhere to the Neighborhood Plan. The guiding principles of the AGC are the inspiration for and have guided the planning for the redevelopment plan: Continue to provide safe affordable housing on site, Provide upgraded amenities, Expand affordable housing to the elderly, Add other affordable housing and mixed uses consistent with neighborhood plan, and Be good stewards of the land.

The current plan will include doubling the amount of affordable housing on site for seniors, adding market rate housing, adding retail elements specifically targeted to needs of seniors and the neighborhood, and restoring the Fish Hatchery on site.

At our March 18, 2015 meeting, the ECCNPT discussed the above redevelopment plan and voted in support of the following:

- Amendment of the ECCNP FLUM from Multifamily to Mixed Use
- Amendment to the zoning from CS-MU-CO-NP to CS-MU-V-CO-NP, allowing 60' height across the property.

**The East Cesar Chavez Neighborhood Planning Team officially supports the ECCNP FLUM amendment and a zoning amendment for 21 Waller Street.**

We hope that you will join us in support of this redevelopment and grant the requested amendments.

Sincerely,

**Ken Johnson**  
Chair  
East Cesar Chavez Neighborhood Planning Team

*Citizens Concerned for Holly*  
- unincorporated, unaffiliated and unbought -  
2101 Jesse Segovia  
Austin, TX 78702

May 23, 2016

Planning Commissioners, City of Austin  
301 W. 2<sup>nd</sup> Street  
Austin, TX 78701

Re: RBJ Mixed Use Redevelopment  
C20-2015-019-Festival Beach Waterfront Overlay Subdistrict

Dear Chair Oliver & Commissioners:

We are an independent group of longtime Holly residents concerned about the impact of this development on our homes, our community, and our waterfront. Like everything in this town, the proposal is being rushed thru without notice to the public and in a somewhat shifty manner based on deals that none of us were privy to.

---

Most mixed-use projects that add so much density to surrounding neighborhoods involve at least some community benefits. Because this is being rammed thru as a "code amendment," though, there's no process for evaluating the match between impact & benefit. We question this entire approach, since the whole thing is designed to benefit one developer and looks basically like a PUD. (Which, according to Neighborhood Housing, the developer wanted to avoid applying for).

We've lived here long before downtown developers came, and many of us have friends and family living in the RBJ building. We know that it needs repairs and strongly support efforts towards that end. But this is not the kind of "affordable housing" that the building's namesake, Rebekah Baines Johnson, envisioned.

LBJ's legacy is rooted in the tradition of true public housing that exists solely for the benefit of disadvantaged residents and the benefits that accrue to everyone from their presence in the community. This deal, like so many others, is mainly about developer profits and would invariably cause housing prices to increase as a result of all the "market rate" residential and "retail" that is the

true driver of the project. Why not explore partnering with a traditional public housing non-profit, rather than making this into just another high-end mixed use development that's out of step with the surrounding neighborhood? This property, because of its deep community history and proximity to public lands, is uniquely suited towards reaffirming the value of true public housing.

Again, from talking to Neighborhood Housing, it doesn't sound like that was ever looked at. The whole thing was engineered from the start by developers, with the desired outcome preordained. According to the Parks department, they even tried to convince staff that they had a right to use City parkland(!) and thus avoid the need for any further Commission or Council approval.

Last, but not least, the Commission should realize that this amendment would spell the beginning of the end for the Waterfront Overlay. Unless you stand firm, there are sure to be more "code amendments" of this sort seeking to undo longstanding protections that have made Lady Bird Lake a treasured place for the whole community, rather than a backyard for the privileged.

In closing, it must be said that none of the prior Council resolutions regarding RBJ require amending the Waterfront Overlay or otherwise providing for high-end mixed use that would add so much density to the local street system, drive housing prices up, and undermine lakefront planning goals. We ask the Commission to look behind the developer's assertions and stand firm against this proposal.

Kindest regards,

*Citizens Concerned for Holly*

cc SaveTownLake  
PODER