

ZONING CHANGE REVIEW SHEET

CASE: C14-2021-0078 – Shoal Cycle

DISTRICT: 9

ZONING FROM: LO, GO, MF-4

TO: DMU-CO

ADDRESS: 812 W. 11th St

SITE AREA: 0.405 acres (17,660 sq. ft.)

PROPERTY OWNER:

CJI Properties, Inc. (Lucy Joyce, President)

AGENT:

Drenner Group, PC (Amanda Swor)

CASE MANAGER Mark Graham (512-974-3574, mark.graham@austintexas.gov)

STAFF RECOMMENDATION:

The Staff recommendation is to grant downtown mixed use (DMU-CO) combining district zoning. The conditional overlay is to limit building height to 60 feet. For a summary of the basis of staff's recommendation, see case manager comments on page 2.

PLANNING COMMISSION ACTION / RECOMMENDATION:

**June 22, 2022: APPROVED DMU-CO COMBINING DISTRICT ZONING, WITH THE CO
FOR A MAXIMUM HEIGHT OF 90 FEET, AS APPLICANT
REQUESTED; WITH AN ADDITIONAL CONDITION THAT
OFFICE USE ABOVE THE FIRST FLOOR IS CONDITIONAL.
[J. SHIEH, G. COX 2ND] (11-0) S. PRAXIS, C. LLANES PULIDO -
ABSTAINED**

CITY COUNCIL ACTION:

August 26, 2021:

**July 29, 2021: APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD
TO AUGUST 26, 2021. VOTE 11-0**

ORDINANCE NUMBER:

ISSUES

The Applicant would like to discuss the Staff recommendation.

CASE MANAGER COMMENTS:

The subject site is irregular in shape and located near the west edge of downtown Austin near North Lamar Blvd. and Shoal Creek. Access to the site is by West 11th Street from West Avenue or via Shoal Creek Blvd. from West 12th Street. The rezoning tract is 0.405 acres (17,660 sq. ft.) and currently developed with a 14,238 sq. ft. office building. There is a band of MF-4 zoning approximately 30 feet wide along the north edge of the tract and a band of GO zoning of approximately 26 feet wide along the east side of the tract from the MF-4 zoning to the W. 11th St. right-of-way. The rest of the tract is zoned LO.

The existing buildings on the 800 block of West 11th Street are typically one and two-story structures. Many were built as detached residences but are adapted for use as offices. There are townhome style residences on the west, detached residential buildings used as offices to the east, retail and business services to the north and residential buildings used as offices across 11th Street to the south. The office building on the rezoning site is three stories tall with surface parking under the building at grade.

The applicant requests downtown mixed use – conditional overlay (DMU-CO) with the conditional overlay limiting height to 90 feet in order to build 70 multifamily residential units on the property. The existing office building would be razed. No residential units will be demolished. The rezoning tract is in the Northwest District which limits height more than most of the downtown districts. The Downtown Density Bonuses for height are **not available** in this district.

Austin's Downtown Plan contains a map with proposed future zoning. The Downtown Plan recommends mapping LO zoning to downtown mixed use with a 40-foot height limit (DMU-40), and both MF-4 and GO zones were mapped as 60-foot zones (DMU-60). Staff is recommending that this rezoning consolidate the zoning with DMU at the 60-foot building height limit. Generally the DAP recommends the lowest heights at the edges of downtown, gradually building to 120 feet next to the Central Business District Core, where building can be significantly taller.

The Downtown Austin Plan suggests replacing single purpose zone districts with mixed use districts. The newly renovated ACC Rio Grande Campus, expected to open fall of 2021, is about 2 blocks northeast of the subject site at West Ave. and W. 12th Street. House Park/Austin Recreation Center is also about 2 blocks north on Shoal Creek Blvd. The #5 Bus stops are two blocks away at W. 12th Street and N. Lamar Blvd. There are sidewalks along the south side of W. 11th Street and west side of Shoal Creek Blvd. There are sidewalks along both sides of Shoal Creek north of W. 12th St. The site is walkable and bike friendly and close to education, recreation, entertainment and employment. Groceries are a ten-minute walk at W. 6th and N.

Lamar Blvd. The subject location is about a ten-minute walk (0.5 miles) to the State Capitol building.

BASIS OF RECOMMENDATION:

Staff recommends downtown mixed use – conditional overlay (DMU-CO) combining district zoning. The conditional overlay would be a height limit of 60 feet.

1. *Zoning should not constitute a grant of special privilege to an individual owner; Granting of the request should result in an equal treatment of similarly situated properties.*

The requested 90-foot building height limit would not be equal treatment of similarly situated tracts. The rezoning tract is surrounded by properties zoned MF-4 and GO and partially entitled with those zones. In the Downtown Austin Plan, those zones map to DMU 60, that limits building height to 60 feet. The center of the tract is LO zoned, which the DAP maps to the DMU with a 40-foot height limit. The Staff recommendation would be to grant the entire site the 60-foot height limit consistent with the surrounding properties. *(See attached Downtown Austin Plan Proposed Downtown Zoning Changes Map.)*

The Staff Recommendation for DMU-CO with the conditional overlay of a maximum building height of 60 feet would be equal treatment of similarly situated properties. *(See Area Case Histories table of this report).*

2. *Zoning changes should promote compatibility with adjacent and nearby uses.*

The western edge of this part of downtown Austin is North Lamar Blvd. The subject property is near the corner of W. 11th St. and Shoal Creek Blvd. North Lamar Blvd. is less than 500 feet from the southwest corner of the subject property. In the immediate vicinity of the rezoning tract there is a mixture of uses including office, retail, personal and business services as well as residential. *DMU zoning is intended for the areas on the periphery of CBD classifications in the central core area, permitting a variety of uses compatible with downtown Austin and allowing intermediate densities as a transition from the commercial core to surrounding districts. Site development regulations are intended to permit combinations of office, retail, commercial and residential uses within a single development.*

3. *The proposed zoning should be consistent with the goals and objectives of the City Council.*

The City Council adopted the Downtown Austin Plan (DAP) as an element of the Austin Comprehensive Plan. The DAP maps the proposed zoning and heights and the staff recommendation is consistent with the map and the goals and objectives of the DAP. The Housing Blueprint was adopted with goals for creating new residential units in each of the Council Districts. Goals for locating residential units in locations that promote healthy living by being walkable to education, recreation, entertainment and employment would be promoted with the requested zoning and proposed residential development.

EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	LO, GO, MF-4	Office
North	MF-4, CS, DMU	Retail, business services
South	DMU-CO, MF-3, LO	(Across W. 11 th St) Houses used as offices
East	GO, LO	Houses used as offices
West	MF-4, P	Townhomes/condos, Shoal Creek Greenbelt

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan (Northwest District)

TIA: The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies a need for 80' of right-of-way for 11th Street. A traffic impact analysis is waived, the determination is deferred to site plan application, when land use and intensity will be finalized.

WATERSHED: Shoal Creek, impervious cover limit for proposed DMU is 100%

OVERLAYS: ADU Approximate Area Reduced Parking Criminal Justice Center Overlay
Downtown Austin Plan Districts: Northwest Downtown Density Bonus: FAR - 3 | Max Hgt - 90
Residential Design Standards: LDC/25-2-Subchapter F Selected Sign Ordinance

SCHOOLS: AISD

Mathews Elementary

O. Henry Middle

Austin High

NEIGHBORHOOD ORGANIZATIONS

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

Friends of Austin Neighborhoods
Historic Austin Neighborhood Association
Homeless Neighborhood Association
Neighborhood Empowerment Foundation
Old Austin Neighborhood Association
Preservation Austin
SELTexas
Shoal Creek Conservancy
Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2020-0052 903, 905, 907 & 915 W. 12 th St.	Rezone 0.38 ac. From CS to DMU-CO. CO is 60 ft max height.	To grant	Apvd. 08/27/2020 Ord.# 20200827-113
C14-2020-0036 827 W. 12 th St.	Rezone 0.555 ac. From DMU-CO to DMU-CO to change condition of zoning.	To grant DMU-CO. CO increased from 60 ft. to 90 ft. consistent with Downtown Austin Plan.	Apvd. 06/04/2020 Ord.# 20200604-039
C14-2019-0050 827 W. 12 th St.	Rezone 0.555 ac. From CS to DMU-CO. CO is building not to exceed 60 feet.	To grant	Apvd. 06/20/2019 Ord.#20190620-124
C14-2017-0077 ACC District 1218 West Ave.	Rezone 0.8803 ac. from SF-3 & P to DMU	To grant	Apvd. 10/05/2017 Ord. #20171005-044
C14-2017-0076 ACC-Rio Grande Campus-Block 153 1212 Rio Grande St.	Rezone from UNZ & UNZ-H to DMU-CO (Tract 1) and DMU-H-CO (Tract 2)	To grant DMU-CO. CO limits vehicle trips to 2,000/day; max building height is 60 feet; list of prohibited uses.	Apvd. 10/05/2017 Ord.# 20171005-043 CO for daily vehicle trips limit to 2,000; max building height 60 ft.;list of prohibited uses for Tract 1; list of prohibited uses for Tract 2.
C14-2016-0110 West House, LLC 1005 West Ave.	Rezone 0.0871 ac. from MF-4 to GO-MU	To grant DMU-CO as Staff Recommended	Apvd.01/26/2017 Ord.# 20170126-083 DMU-CO. CO for 60 ft. max height.
C14-2011-0010 821 W. 11 th	Rezone MF-3 to DMU	To grant DMU-CO. CO is 2,000 daily vehicle trip limit; max height 40 ft.; front yard setback 15 ft.; list of prohibited uses.	Apvd. 04/28/2011 Ord.# 20110428-064 CO for max height of 40 ft., min front yard setback, prohibited uses, 2,000 daily vehicle trips max.

RELATED CASES:

No related cases.

LEGAL DESCRIPTION:

.0405 acre tract of land situated in Outlot No. 5, Division E of the Original City of Austin Outlots on file in the General Land Office, In Travis County Texas.

Conveyed in Volume 11554, Page 1380, of the real property records of Travis County, Texas.

OTHER STAFF COMMENTS:**Urban Design****Downtown Austin Plan**

The property is in the North West District of the Downtown Austin Plan (DAP). The applicant is proposing to change the zoning from General Office (GO), Limited Office (LO), Multifamily Residential Moderate-High Density (MF-4) to Downtown Mixed Use – Conditional Overlay (DMU CO).

Some of the Northwest Street District specific goals are:

- Preserve the neighborhood's historic character (p.38)
- To improve the pedestrian environment. (p.38)
- Improve conditions for bicycling (p.38)
- Great Streets improvements are a public improvement priority for this district (p.38)

The property is currently the site of a two-story 14,000 sf office building, the change to DMU will allow for greater density.

The following DAP goals are relevant to this case:

AU-1.1: Replace Single Use zoning districts with mixed-use zoning designations

- AU-2.5: Make downtown housing more family friendly
- DD-1.1: Maintain height and density limits as a baseline with some adjustments on the surrounding context. (p.23)
- DD-3.1: Promote a compatible relationship between new and historic buildings (p.24)

Based on the information above, Staff believes that the proposed zoning change to DMU-CO with a 60 foot height limit is supported by the Downtown Austin Plan.

Environmental

1. 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.
2. Zoning district impervious cover limits apply in the Urban Watershed classification.

3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. 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.
6. 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.
7. 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.

Parks and Recreation

PR1: Parkland dedication will be required for the new residential units proposed by this development, multifamily with DMU-CO zoning, at the time of subdivision or site plan, per City Code § 25-1-601. 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 § 25-1-607 (B)(1) & (2).

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 whether fees in-lieu of land will be allowed.

Site Plan

- SP1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP2. The site is within the Criminal Justice Center Overlay. Bail bond offices, liquor stores, and cocktail lounges are conditional uses, and pawn shops are prohibited.

Transportation

The Austin Strategic Mobility Plan (ASMP), adopted 04/11/2019, identifies a need for 80' of right-of-way for 11th Street. A traffic impact analysis is waived, the determination is deferred to site plan application, when land use and intensity will be finalized.

Name	Existing ROW	ASMP Required ROW	Pavement	ASMP Classification	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
11 th St	61'	80'	38'	2	Yes	Yes	Yes

Austin Water Utility

AW1. 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.

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin

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

Exhibit A: Zoning Map

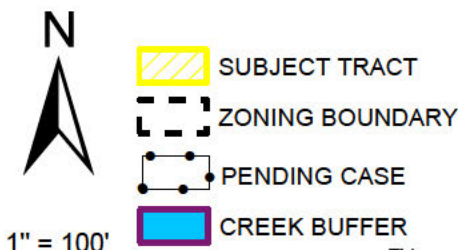
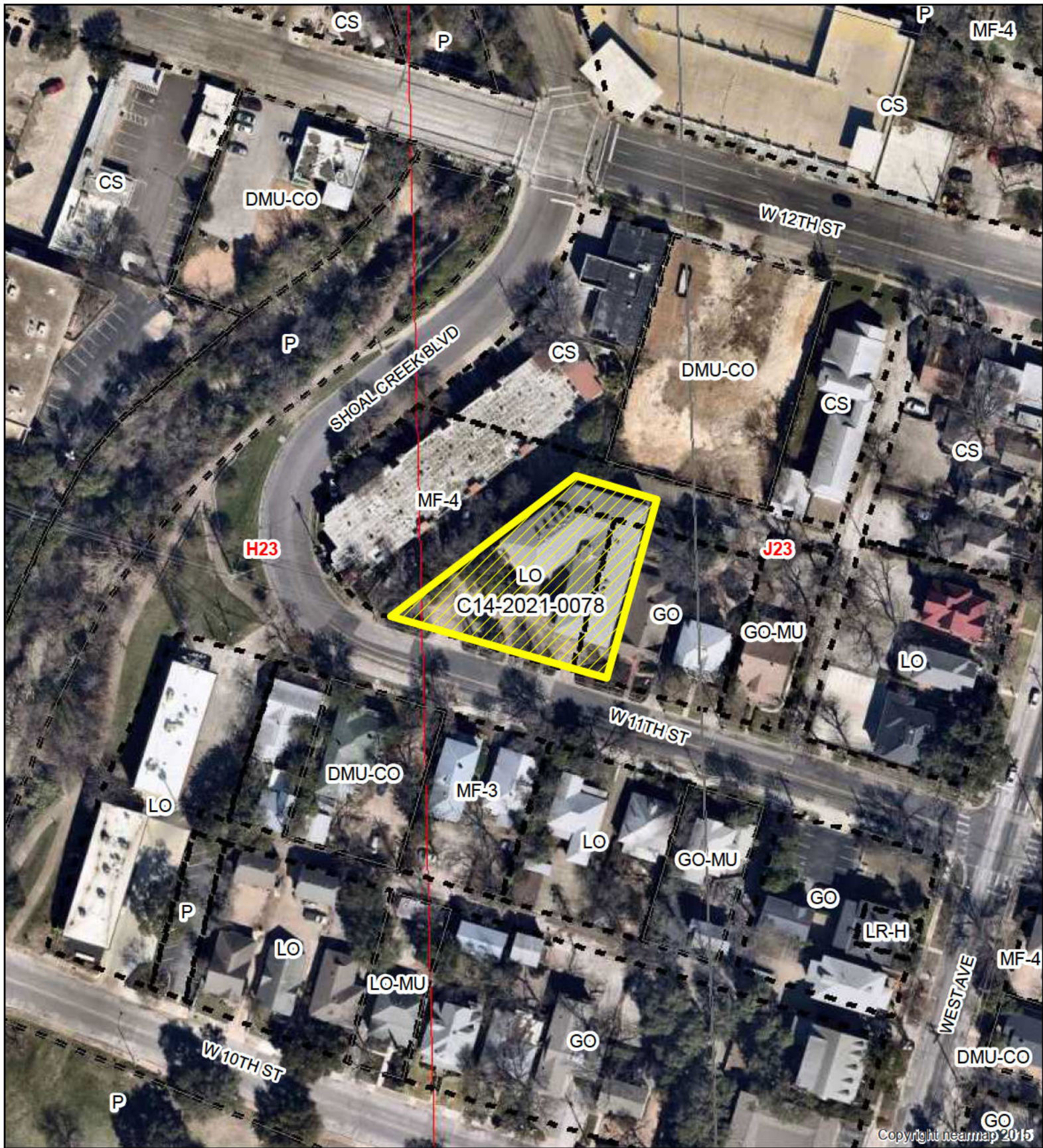
Exhibit B: Aerial Map

Exhibit C: Downtown Austin Plan – Districts Map

Exhibit D: Downtown Austin Plan-Proposed Zoning Changes Map

Exhibit E: (Not) Eligibility-Downtown Density Bonus Program

Correspondence

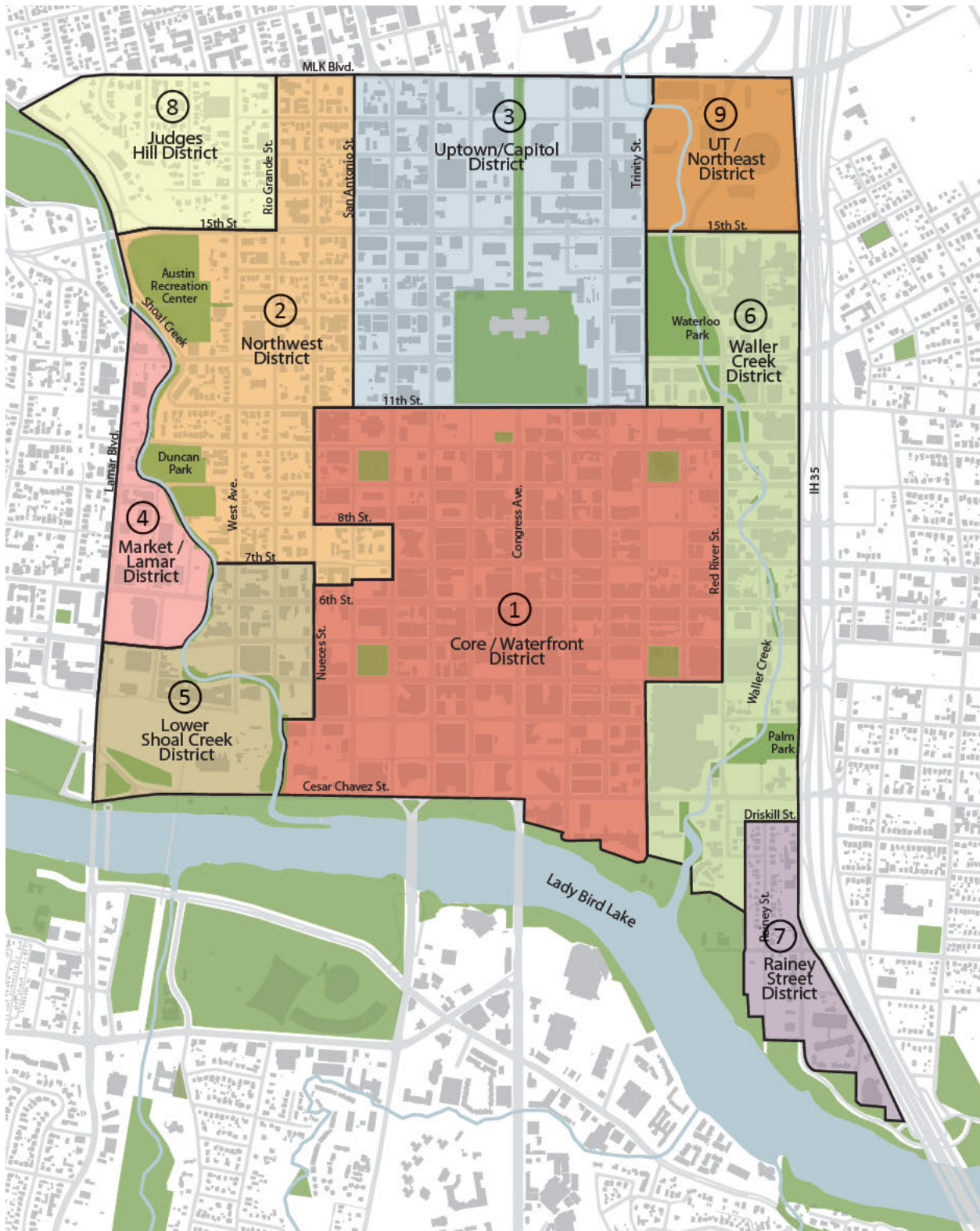


Shoal Cycle

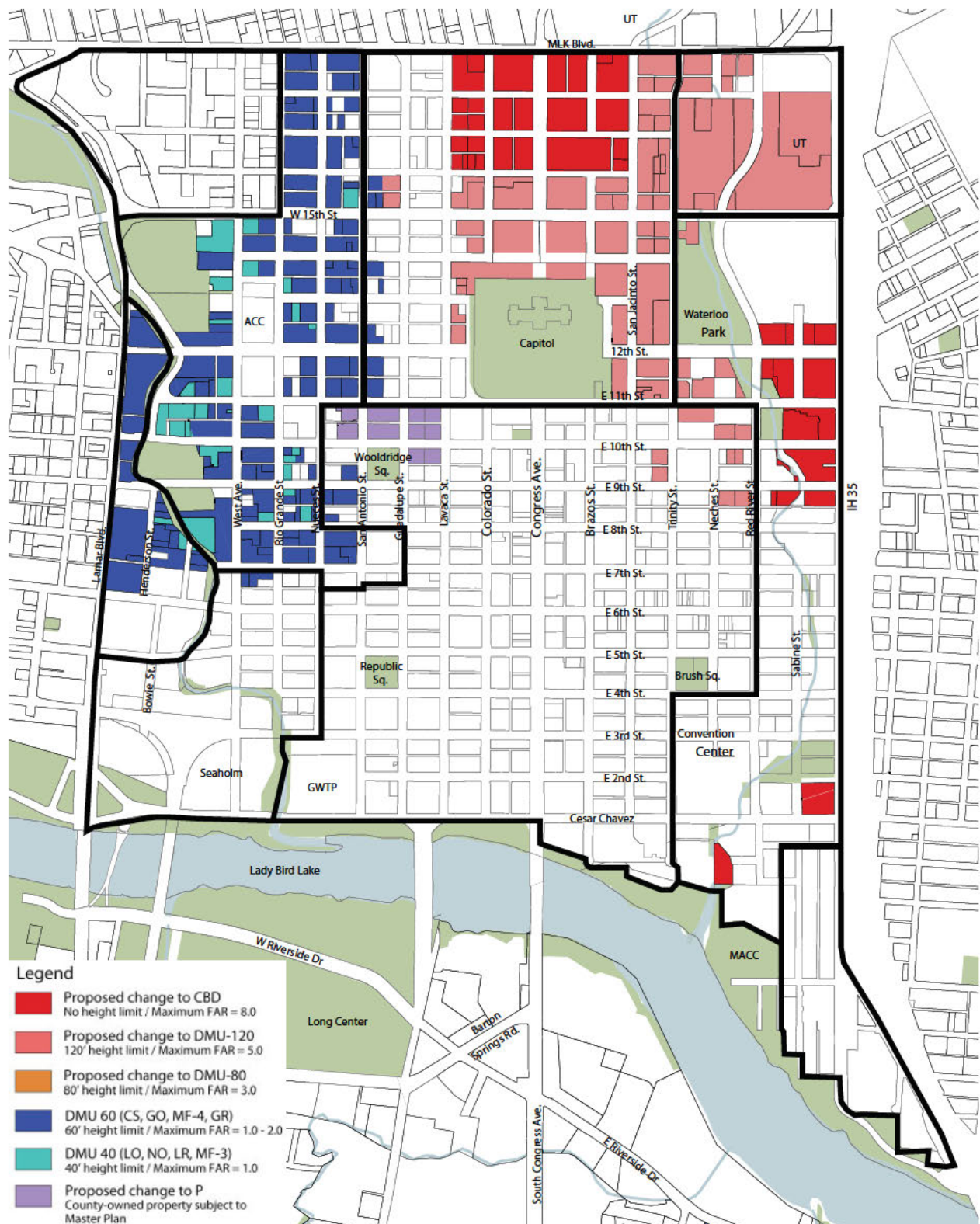
ZONING CASE#: C14-2021-0078
 LOCATION: 812 W. 11th
 SUBJECT AREA: 0.4052 Acres
 GRID: J23
 MANAGER: MARK GRAHAM

Exhibit B

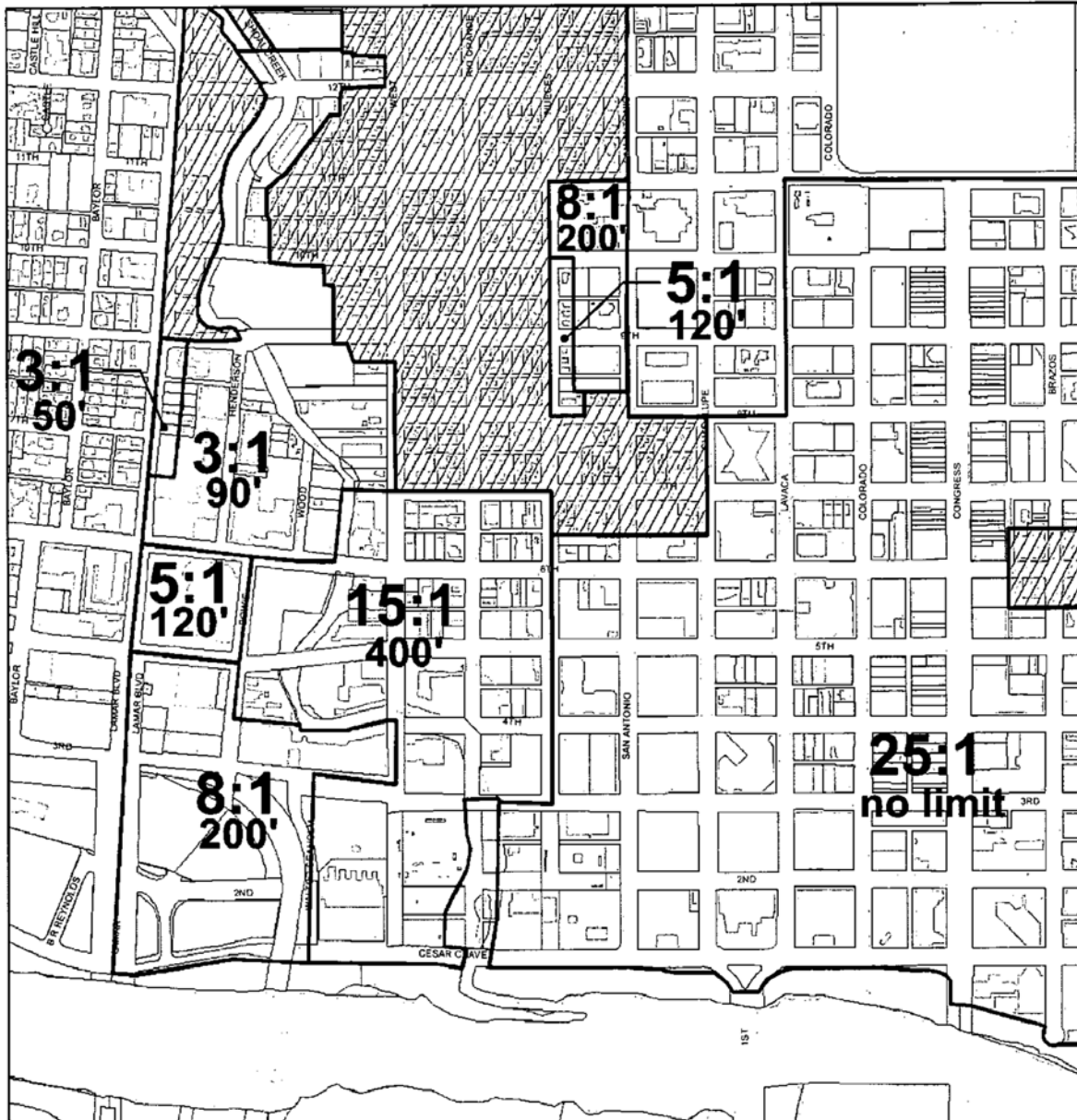
This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Aus in regarding specific accuracy or completeness.



Downtown Districts Map



Proposed Downtown Zoning Changes



Downtown Density Bonus Program - Eligibility, Floor Area Ratio (FAR) and Height Map
Figure 2: Page 6

- Maximum Floor Area Ratio (FAR)
- Maximum Height (Feet)
- Areas Ineligible for Density Bonus Program (Height and density may not exceed underlying zoning)
- Public Parks/ Open Space (ineligible)
- TCAD Parcels

NOTE: Properties in the Rainey Street Subdistrict of the Waterfront overlay must obtain a floor-to-area ratio (FAR) of up to 8:1 by meeting the requirements of Section 25-2-739 of the City Code. FAR exceeding 8:1 may be obtained through the Downtown Density Bonus Program, as described in Section 25-2-586 of the City Code.

NOTE: Maximum heights shown do not reflect restrictions imposed by Capital View Corridors (CVC) or special districts.

0 0.05 0.1 0.2 Miles



PLANNING AND
DEVELOPMENT REVIEW
DEPARTMENT

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

1/27/2014

- (4) The maximum heights and maximum floor-to-area ratios on Figure 2 do not modify a site's primary entitlement. If the maximum height or maximum floor-to-area ratio allowed under a

From: [Brennan Griffin](#)
To: [Graham, Mark](#)
Subject: Support for DMU 90 for Shoal Cycle
Date: Tuesday, June 15, 2021 7:10:15 AM

*** External Email - Exercise Caution ***

To Whom It May Concern:

I'm a frequent user of the Shoal Creek cycle path, and I think the project at 812 W. 11th would be a great improvement, especially if permitted at 90'. There is a strong possibility that the currently envisioned project that includes units targeted to households making \$55K would not be feasible if restricted to 60'.

I've worked on Shoal Creek Blvd between 15th and Lamar for the last 10+ years, and I frequently take the Shoal Creek cycle path downtown - for coffee, for lunch, and to get to the YMCA and Lady Bird Lake. The current office complex, while fine, does little to add to that walk. The trees and placemaking for Shoal Creek Conservancy proposed by the developer will help make a difference, but I will also say that even having a bit more shade from a building along that stretch could make it more walkable/bikeable during the summer months.

I also work for an organization that supports affordable housing in Austin, especially housing that expands access to opportunity. An apartment building targeting working-class Austinites in such a location would be a huge boon. With 3 bedroom/2 bath apartments, it would help bring diversity to the zoned schools, it would give people ready access to great jobs and services, and it would be an easy place for a household to forgo the usual 2 car arrangement that is difficult to escape in much of Austin. Just because the units are not directly subsidized does not mean that it has no impact on affordability.

As to the compatibility arguments raised in the staff comments, I would say that we cannot continue to allow "compatibility" to trump all other public policy concerns for Austin land use. Buildings being different sizes next to each other is often aesthetically appealing - it gives variety. Taller buildings give off more shade, which is a major consideration for people attempting to walk or cycle (or scooter) in the Texas summer. Many of my afternoon walks downtown would benefit from a lot more shade!

Without DMU 90, we are probably giving up 70 new apartments marketed to families making less than the Austin median income. If restricted to 60', maybe a project would go forward with fewer units, but those units would have to be priced higher to make the development financially sound. It is just abysmal to let poorly thought out aesthetic judgements (which I and many Austinites do not share) to interfere with building more housing that increases opportunity.

Best,
Brennan Griffin

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From: [Dan Keshet](#)
To: [Graham, Mark](#)
Subject: In support of DMU-90 for 802 W 11th
Date: Tuesday, June 15, 2021 11:26:19 AM

*** External Email - Exercise Caution ***

Good morning Mark,

I am writing to register my support for the requested zoning (DMU with a height limit of 90') for 802 W 11th.

I live nearby at 908 Nueces St, one block south and a few blocks east of the project. I walk by the site frequently with my daughter. This is a wonderful place to live! We are walking distance away from a ton of restaurants, multiple grocery stores, convenience stores, day cares, churches, the Shoal Creek trail, Duncan Park, Republic Square Park, Pease Park, ACC, the largest concentration of jobs the city has, a ton of street festivals, and much much more. My daughter is eight months old and I have taken her on a stroll to literally every one of these! We are downtown but at a distance from the night clubs that generate late-night noise; it feels like a safe and secure place to raise a child.

The biggest issues that we face are all down to the lack of residents. The neighborhood consists largely of older houses built for people to live in but presently used as offices. Economically, a single household just can't compete with what lawyer's offices are willing to pay for a house downtown. Even though there are a lot of amenities in the neighborhood, some residential-oriented amenities can't make it. Pease School operated as transfer-only for years before recently being shut down altogether. There are plans for the revamp of Duncan Park but it doesn't include a playground. My wife and I have a hard time finding other parents downtown.

I'm in favor whenever a developer can find a way to make residential work in the neighborhood. One project underway is building residential with exclusively tiny units. Another project nearby is building a high-rise. This same developer has a project nearby that's a co-living space. This project found a way to make the economics work by doing a development targeted at using the unique site near jobs and the Shoal Creek Trail to make a low-parking, bike-oriented development, which is both a great idea and a great way to make the economics on residential actually work. This is exactly the kind of project the neighborhood needs!

Thank you so much,

Dan Keshet

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From: [Catlin Whittington](#)
To: [Graham, Mark](#)
Subject: Support for Shoal Cycle
Date: Tuesday, June 15, 2021 2:59:09 PM

*** External Email - Exercise Caution ***

Dear Mr. Graham,

I am a citizen of Austin and, although I reside in District 2, I have a lot of history and affinity for the Shoal Creek watershed. I am on the board of the Shoal Creek Conservancy and have had many memorable experiences in my life along the waterway. It is an important area for me and for the City's character.

I support Shoal Cycle rezoning to DMU 90. I want to see more workforce housing downtown. I believe that affordability is critical for future planning in this historically important corridor and I believe that density is the key to affordable development downtown.

Thank you for your time and consideration.

Catlin Whittington

512-317-3806

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From: [Bob Roberts](#)
To: [Graham, Mark](#)
Subject: Shoal Cycle to be zoned DMU 90
Date: Tuesday, June 15, 2021 11:52:55 AM

*** External Email - Exercise Caution ***

I wholeheartedly support Shoal Cycle rezoning to DMU 90. It would be awesome to have more workforce housing in downtown Austin.

Not to mention a project by a female developer.

Thanks for your consideration Mark!

BOB ROBERTS
Senior Vice President
Barton Oaks

Stewart Title of Austin, LLC
901 South Mopac, Building III, Suite #100
Austin, TX 78746
O (512) 322-8709 | M (512) 775-5111
stewart.com/austin | [View My Profile](#)



NYSE: STC

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From: [Marshall Geyer](#)
To: [Graham, Mark](#)
Subject: In Support of Shoal Cycle DMU 90 Rezoning
Date: Wednesday, June 16, 2021 7:53:47 AM

*** External Email - Exercise Caution ***

Hi Mark,

I wanted to reach out to you with a strong display of support for Shoal Cycle rezoning to DMU 90. I absolutely want to see more workforce housing downtown.

My fiancée and I are homeowners of a condo unit at Terraces on Shoal Creek, the residential building directly next door to Shoal Cycle. We have reaped the benefits of living in this exact location firsthand and can attest for how desirable it is for its walkable proximity to the Shoal Creek trail, restaurants in the area, bus stops (and the future light rail stops), green space, the lake, numerous dog parks, venues, and history-rich structures in the neighborhood.

Since moving downtown, I have sold my car and firmly embraced a multi-modal transportation lifestyle in a city that is struggling to evolve past requiring the individual use of a single occupancy vehicle. I am painfully aware of how difficult it currently is for many others in Austin to optimize their home and work logistics for a car-free lifestyle but I think that downtown is the optimal location for this lifestyle. I am constantly eager to see more attainable residential options created anywhere in downtown, but particularly in areas like west downtown that have been long plagued by archaic obstacles like zoning restrictions, parking lots, and general land misuse.

Because of this, I was thrilled to see an attractive residential building plan for the near-abandoned lot next door to us that would deeply enrich the residential community in the neighborhood, be a force in the movement away from cars in Austin, help fight the alarming housing crisis that is plaguing Austin residents, provide sustainable opportunity for working class folks, add some useful retail to the area, and, ultimately, extend all of the privileges that we have enjoyed living on this street to a lot more people. Austin can't retain its charm if the people that make this city great can no longer afford to live here.

I can't imagine this rezoning would cause many reasonable issues for the lone residential house on this street but, even so, that cost would seem to be heavily outweighed by the substantial, long-term housing relief this development would provide Austin residents with. Without progressive plans like Shoal Cycle being allowed to innovate the area, this neighborhood is doomed to serve as a historic-house-turned-law-office ghost town void of opportunity, density, and community right in the middle of one of the fastest growing cities in the country. In my opinion, rezoning Shoal Cycle to DMU 90 would be a fantastic move to continue converting my northwest downtown street from a museum into a community.

I appreciate your consideration and look forward to updates with this project.

Cheers,
Marshall

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From: [Mateo Barnstone](#)
To: [Graham, Mark](#)
Cc: [REDACTED] [Dan Keshet](#)
Subject: I support Shoal Cycle rezoning to DMU 90. I want to see more workforce housing downtown.
Date: Tuesday, June 15, 2021 7:40:06 PM

*** External Email - Exercise Caution ***

To whom it might concern:

I fully support and urge the city to support the approval of the zoning variance request to permit the Shoal Cycle redevelopment to 90'.

In a rational world, this would not require a zoning change. This middle-intensity mid-rise project is the right scale for this quadrant of downtown. It is precisely the kind of building that should be allowed by-right. This quadrant of downtown should be the place where you can mix up historic low-rise, with various other intensities up to mid-rise and it all works together to create a dynamic and exciting neighborhood - a neighborhood that can grow, adapt, change as the city does.

I don't need to tell you that this is one of the most walkable districts in the city. There are like a billion locations within a 10 minute walk and a zillion within a 10 minute bike ride. It's adjacent to Shoal Creek and its residents will be able to access the increasingly impressive urban trails network that gets them to a huge amount of the city on car-free trails. The fact that this building is lightly parked means the scale and massing and design of this project is far superior to the numerous projects that have been approved in recent years with large parking plinths that reach heights over the 90' height this building reaches. The city allows parking garages taller than this project a few blocks away!

This site is 1/2 a block from North Lamar and 1/2 a block from 12th and you can measure the distance to our most intense employment districts in the city in steps. ACC, the Capitol Complex, UT and all the downtown employment can be reached by a pleasant walk. In short, this is the exact location we should be able to layer on human-scaled intensity to 9 or 10 stories.

That density is roughly the same intensity of some of the greatest, most livable and most loved neighborhoods in some of the best cities in the world: Barcelona, Milan, Madrid, London, Buenos Aires, etc. etc. . . If this kind of intensity creates great livable neighborhoods all over the world why would we want to disallow it here?

This is a few blocks from the similarly situated and scaled Nokonah Building. A few blocks beyond are some of the highest intensity uses in the city. Frankly, we should have a lot more buildings of this scale, and we could. And this would be among the best places in the city to do so.

- Mateo Barnstone

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From: [Caroline Bailey](#)
To: [Graham, Mark](#)
Subject: Case C14-2021-0078 - Support for Shoal Cycle to be Zoned DMU-90
Date: Tuesday, June 15, 2021 6:25:09 PM

*** External Email - Exercise Caution ***

Good evening Mark,

I am writing to express my enthusiastic support in favor of granting DMU-90 to Shoal Cycle (Case C14-2021-0078). I am a Board Member of AURA, a local urbanist advocacy organization and a member of the City of Austin's Pedestrian Advisory Council - though I am not speaking on behalf of either group, just myself as an individual.

This kind of housing development is exactly what we need more of in Austin, especially in downtown. We need more workforce housing downtown. We need more homes that are geared towards people who would like to live a more sustainable lifestyle.

If we want to be serious about tackling our housing crisis, our homelessness crisis, and our climate change crisis - then please give Shoal Cycle DMU-90 zoning. We can't keep watering down or reducing the developments that are one of the solutions to our multiple crises. I would love to live in a development like this if they were available. I'd love to live downtown in a place where I could actually afford the rent. I currently live near the Shoal Creek Trail entrance on 38th St, and I think we should be putting as many people as we can next to the trail - because as many people as possible should have access to the trail without having to drive. I used to live near the trail off 24th St, and would frequently walk down the trail to downtown. More people should be able to do that! There are also multiple bus lines nearby, and multiple amenities to walk, bike, roll, or take transit to. More housing near transit is a win. More housing in a high-opportunity area is a win. More housing in general is a win - housing is a community benefit!

In the neighborhood, there is currently only one single-family home that is being used for residential purposes instead of offices. It seems backwards to limit this development based on that one home, when this development would provide so many homes for so many more people. I'm a renter, and it's really disappointing to see this constant institutional belief from the City and others that apartments are inferior to single-family homes; that single-family homes should be protected whenever possible. There are a lot of people who would prefer to never own a home or who may never be able to afford to buy their home - and they shouldn't be considered less important than homeowners. I make between \$50,000-\$60,000 and this

development is actually targeted towards people in my income bracket, which is awesome.

Cities change and grow. This neighborhood was once the edge of Austin a long time ago. But it is now a part of downtown Austin, and should be treated as such. Change isn't inherently bad. Apartments are not inherently bad. Height is not inherently bad. Incompatibility with other housing types nearby is not inherently bad. Less parking isn't inherently bad. In this case, I think all of those things are good, and we should encourage and strive for more developments like this all over Austin.

Thanks for your time and consideration.

Caroline

--

Caroline Bailey, AICP | Planner

AURA Board Member, Social Chair, Land Use Committee Chair
Austin Pedestrian Advisory Council Member

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From: [Daniel Riegel](#)
To: [Graham, Mark](#)
Subject: I Support Shoal Cycle Rezoning to DMU 90
Date: Wednesday, June 16, 2021 11:16:00 AM

*** External Email - Exercise Caution ***

Hi Mark,

My name is Daniel. I wanted to write to express my wholehearted support for the Shoal Cycle project (Case C14-2021-0078).

I've been a central Austin resident for over a decade, having lived in West Campus, Downtown, and now in the South Central Waterfront. I'm also a member of the Downtown Neighborhood Association and the South River City Neighborhood Association, and a frequent and longtime user of the Shoal Creek trail.

The Shoal Cycle project provides exactly what we need more of in downtown -- affordable, sustainable residential homes. Furthermore, converting this property to DMU 90 will allow for the development of a much needed mid-rise residential building, which is exceedingly rare not only in Austin but in particular downtown.

Altogether, I believe the Shoal Cycle project would be a wonderful addition to the central Austin community. Please feel free to share my comments with the Planning Commissioners and City Council members.

Thank you for your time and consideration.

- Daniel Riegel

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From: [Wardlaw, Michael](#) [REDACTED]
To: [Graham, Mark](#)
Subject: Shoal Cycle - Case c14-2021-0078
Date: Wednesday, June 16, 2021 10:29:30 PM

*** External Email - Exercise Caution ***

Mark,

We haven't meet personally but I hope all is well. I'm writing as long term Austinite and someone in the real estate industry that believes our decisions on affordability, traffic patterns, density, etc impact the future outcome of our great city. My home is off Windsor and Lamar so I'm also as a close by neighbor to this project. Highlights of my support for the developers proposals include:

- Supporting DMU90 instead of DMU60. The benefit is it affords 30 more units or 90 more beds (90 more cars off the road)
- The affordability of the apartments at \$1,400 which is shared across roommates to make the individual rent a living rate for a broad section of Austin
- Microunits on the other side of the block already were granted DMU90
- Ties into the Shoal Creek mobility plan
- This area of downtown is perfect for housing at livable rents.
- This project in my opinion is perfect for the city and its future. It doesn't need affordability tax credit or programs, its designed to achieve it on its own. The city leaders talk affordability and this is an example of how developers and the city can work together to achieve this goal.

I hope my words will be strongly considered. In my career I have added thousands of affordable units into inventory in Austin. I'm happy to provide references in Housing Authority of Austin if helpful. Please feel to reach with any questions and I hope this message more than expresses my support for this project. Thanks.

Michael Wardlaw
Executive Vice President
Investment Properties | Multifamily
Central Texas Region - Austin & San Antonio
CBRE | Capital Markets
500 W 2nd Street, Suite 1700, Austin, TX 78701
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From: [REDACTED]
To: [Graham, Mark](#)
Subject: Shoal Cycle Rezoning Support
Date: Thursday, June 17, 2021 1:32:16 PM

*** External Email - Exercise Caution ***

To whom it may concern,

I support Shoal Cycle rezoning to DMU 90. I want to see more workforce housing downtown.

respectfully,
Hiatt Becker
Property Manager



1101 E 6th St
Austin, TX 78702
512-472-8833



www.BeckReitCRE.com

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From: [DeLea Becker](#)
To: [Graham, Mark](#)
Subject: Shoal Cycle Rezoning Support
Date: Thursday, June 17, 2021 1:34:13 PM

*** External Email - Exercise Caution ***

Mark,

I support Shoal Cycle rezoning to DMU 90. I want to see more workforce housing downtown.

best,

Stay Safe, Stay Healthy, Stay Sane & may God Bless Us All

[Texas law requires all license holders to provide the Information About Brokerage Services form to prospective clients.](#)

DeLea Becker
Owner/Broker
Beck-Reit Commercial Real Estate



1101 E. 6th Street | Austin | Texas | 78702
o: 512-472-8833 c: 512-786-4589

www.BeckreitCRE.com

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From: [Brian Poteet](#)
To: [Graham, Mark](#)
Subject: In support of DMU-90 for Shoal Cycle
Date: Thursday, June 17, 2021 6:25:48 PM

*** External Email - Exercise Caution ***

Hi Mark,

I'm writing in support of the request to rezone 812 W. 11th St to DMU-90. It's hard to think of any negative externalities a 90 foot height limit would result in, but there are numerous positive ones:

- The proposed project will have much less parking than is typical for a residential project in Austin, which will support the city's mode share goals detailed in the ASMP.
- The city is clearly not producing nearly enough housing to keep up with demand, and a 90 foot height limit will get us closer to bridging the gap.
- The additional tax revenue alone is enough reason to grant this project additional height.

I understand that some of the other properties in the area are only 1-2 stories, but I would argue that they are out of context in an area that is considered to be downtown. 90 foot buildings should be allowed everywhere that close to the city center.

Here's to a more sustainable, affordable, and livable Austin.

Cheers,

Brian Poteet
District 9

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From: [Michael Wilt](#)
To: [Graham, Mark](#)
Subject: Shoal Cycle Letter of Support (Item 10 at Planning Commission on 6/22)
Date: Monday, June 21, 2021 1:27:52 PM

*** External Email - Exercise Caution ***

Mr. Graham,

I'm writing to express my strong support for the Shoal Cycle development at Planning Commission tomorrow and more specifically for it be zoned DMU 90 to meet the growing demand for affordable workforce housing options in the urban core.

As an affordable housing practitioner for seven years and as a board member of Chestnut Neighborhood Revitalization Corporation and Equidad ATX, I know first hand the challenges in developing income-restricted housing in the Austin area. It's been made more difficult by the pandemic that has affected the price of materials and a hyper-competitive seller's market forcing up land costs. Typically, we rely on some sort of subsidy to offset these costs (in the form of soft equity, tax credits, bond funding, etc.) to deliver homes at an affordable price. In the absence of those, it's hard for the market to address affordability unless something is done creatively.

That's why I'm drawn to projects like Shoal Cycle. It represents a market driven solution for housing affordability that doesn't depend on subsidies to deliver workforce housing at palatable rents. The development costs are the same for the project, but rents are attainable because the housing product looks a little different. In essence, tenants are leasing bedrooms in a unit as opposed to the entire unit, thus making rent more affordable on a per-bedroom basis.

This is a breath of fresh air for individuals in the workforce looking for an apartment that allows them to live close to work in a transit-rich, multimodal area. The reduction in transportation expenses and an increased quality of life without a commute are ancillary benefits.

During my time as the Chair of the Urban Land Institute's Housing Council, we explored ways in which housing costs can be reduced. Really, there are only four levers you can pull - reduce the cost of land, labor, lumber or regulatory costs. What we didn't explore is how you can drive cost reductions through changing the product being delivered. The Shoal Cycle project has inspired me to explore that in more depth.

All that said, any reduction in entitlements (DMU 60 recommendation) is a reduction in the number of units and bedrooms that can be delivered at these market-based affordable rents. I'm struggling with reconciling how we continue to allow and somewhat encourage apartments and condo developments well out of reach of workforce salaries and then limit the opportunity to maximize the number of units for a project like Shoal Cycle. That latter type of housing innovation should be strongly encouraged.

For these reasons, I'm strongly in favor of a DMU 90 rezoning for Shoal Cycle. I hope you will share my viewpoint with Commissioners.

Regards,
Michael Wilt

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C14-2021-0078
812 W 11th Street

Mayor, Mayor Pro Tem, Members of the City Council:

I am writing to you today asking that you support your City Staff's recommendation of DMU-CO on the above referenced rezoning request for the property at 812 W. 11th Street, the Conditional Overlay (CO) in part limiting the developmental height of the project to 60 feet.

Since 1993 I have owned the properties at 601 & 603 W. 12th and am familiar with the properties along the 800 block of W 11th Street. Through my association with the Historic Landmark Commission, I know this pocket of our neighborhood is actively exploring the possibility of a Local Historic District, a preservation effort that would allow measured and compatible density. The Downtown Austin Plan as well as the proposed update of that plan under the Code Next guidelines both call for the property to be rezoned DMU-60. There are reasons the City Staff and the City's consultants came with this recommendation, one of which is the stated goal of historic preservation for this area of downtown. By increasing entitlements beyond what are available under the current zoning districts of GO, LO and MF-4, the door is opened for like situated properties to also seek an increased building height entitlement. Once the precedence is set it then becomes economics, and the historic fabric of the street will be under pressure and conceivably lost. See for instance the Rainey Street District.

The property directly adjacent to this property to the north, 827 W 12th Street, is currently under construction, a residential project with a zoning district of DMU-90. That project of 146 units is being constructed under the Downtown Density Bonus Program (DDBP). That program's increased entitlements are not available to this project. When the boundaries of the DDBP were revisited when the project at 827 W. 12th Street was proposed to be included in the DDBP just a couple of years back, a further encroachment of the program into the neighborhood was declined by the City Staff and by inference this Council. Again, there were reasons; the increased density belongs along a major corridor and not a side street.

As a neighbor to this project, I am respectfully asking that you follow your Staff's recommendation of restricting the building height entitlement to 60 feet. Thank you for your service to our City.

Blake Tollett
3701 Bonnie Road
Austin, Texas 78703

21 June 2021

RE: C14-2021-0078, Rezoning from LO to DMU-CO
812 W. 11th St., Austin, TX

Planning Commissioners:

Let me be perfectly clear, I have no objection to the change in zoning from LO to DMU-60 as recommended by staff, in the Downtown Plan and referenced in Austin's Preservation Guidelines. I strenuously object to a 90' height. At that height the project, on a relatively high point in the topography, will loom over its historic neighbors. The Original Austin Neighborhood has a rich mixture of historic houses, houses that have been converted to offices, historic public buildings and schools. As a neighborhood community we value the historic setting, encourage conservation, enhance urban green space, support multi-modal transportation, pedestrian access and support new denser development that is *respectful* of the historic context. The 90' height requested is not respectful of the small street or the property's historic neighbors. It is not respectful of a graceful urbanization of Austin as envisioned by the Downtown Austin Plan.

However, height and history are not the real objections. It is the arrogant premise that this density is about affordability. I understand it is "targeting" those in our community making less than 55,000 annually. These are lofty goals and I applaud them. But they are feel good goals that grant entitlements that go on for generations, without addressing lasting changes in affordability or moving the needle on housing those currently unsheltered. These are targets and not guaranteed! There is a big difference among a new graduate making 55k, a family of 3 or 4 with a parent who has been in the workforce for 10 years and a retiree who has successfully downsized and carefully sculpted income vs assets. All would be eligible if it is income driven only. Without the policies that keep these units affordable *for those who really need them* over generations or tie entitlements to tackling the more difficult housing challenges in the community, the gains are short-lived at best, or worse yet non-existent by the time the units change lease the first time.

This type of affordability giveaway feeds to the egos of those of us who feel we are not part of the problem and indeed are doing something to fix it. We are not. We criminalize those who are unsheltered and applaud the bright shiny new urbanist model with a catchy name. Until we demand that the developer provide units that accommodate *families* at the affordable rents, or clearly tell those of us who pay for these giveaways exactly how long the rents remain affordable and using what metrics, and / or how the gains the city might reap from the entitlement will be used provide the support, services and units for those that continue to be unsheltered, the granting of the CO is hollow lip service and feel good salve and *costly to the city as a whole*. There is nothing in this project that can tie the additional height to any of these goals.

I know we want to do the right thing; however density alone is not the right tool. When public entitlements are given there should be true public gains over and above what the law currently allows.

Given the historic homes and offices nearby and the Downtown Plan recommending DMU-60 is more than reasonable. The dispensation for parking would certainly be granted, as would the mixed uses requested.

If the project housed John and others who have lived under the bridge at Shoal Creek, or occasionally on my porch; provided welcome and succor to those most in need at that location I would be all in and then some, other wise 90' is a hard NO! Please follow staff recommendation.

Respectfully,



Donna D. Carter, FAIA