

## SECOND AND THIRD READING SUMMARY SHEET

ZONING CASE NUMBER: C14-2021-0174 – 815 W. 11<sup>th</sup> Street

DISTRICT: 9

REQUEST: C14-2021-0174 - 815 W. 11th Street – Approve second and third readings of an ordinance amending City Code Title 25 by rezoning a property locally known as 815 W. 11th Street (Shoal Creek Watershed). Applicant's Request: To rezone from limited office district zoning (LO) to downtown mixed use-conditional overlay (DMU-CO) combining district zoning. First reading approved downtown mixed use-conditional overlay (DMU-CO) combining district zoning, with conditions, on March 3, 2022. Vote: 10-0, Mayor Adler absent. Owner: BSF Land Ventures LLC (Steven Bell, Ben Snyder, and Kevin Fleming (Managers)). Applicant: Drenner Group, PC (Leah M Bojo). City Staff: Heather Chaffin, 512-974-2122.

DEPARTMENT COMMENTS: No comments at this time.

OWNER/APPLICANT: BSF Land Ventures LLC (Steven Bell, Ben Snyder, and Kevin Fleming (Managers))

AGENT: Drenner Group, PC (Leah Bojo)

DATE OF FIRST READING: First reading approved on March 3, 2022.

CITY COUNCIL HEARING DATES/ACTION:

March 24, 2022:

March 3, 2022: To grant DMU-CO on 1<sup>st</sup> reading only with the added condition: the maximum height of a building or structure on the Property is 60 feet if building stories above 40 feet include only residential uses. Non-residential uses may not exceed 40 feet in height. Approved on consent, 10-0. Mayor Adler absent.

ORDINANCE NUMBER:

ASSIGNED STAFF: Heather Chaffin

e-mail: [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov)

**ZONING CHANGE REVIEW SHEET**CASE: C14-2021-0174 – 815 W. 11<sup>th</sup> StreetDISTRICT: 9ZONING FROM: LOTO: DMU-COADDRESS: 815 W. 11<sup>th</sup> StreetSITE AREA: 0.15 acresPROPERTY OWNER:

BSF Land Ventures LLC (Steven Bell, Ben Snyder, and Kevin Fleming (Managers))

AGENT:

Drenner Group, PC (Leah M Bojo)

CASE MANAGER: Heather Chaffin, 512-974-2122, heather.chaffin@austintexas.govSTAFF RECOMMENDATION:

**Staff recommends downtown mixed use-conditional overlay (DMU-CO) combining district zoning. The conditional overlay is for a maximum building height of 60 feet.** *For a summary of the basis of staff's recommendation, see page 2.*

PLANNING COMMISSION ACTION / RECOMMENDATION:

February 8, 2022 Approved DMU-CO as recommended by Staff. Vote: 9-2-1. [Commissioner Shieh – 1st, Commissioner Azhar – 2nd; Commissioners Cox and Llanes-Pulido - Nay; Commissioner Mushtaler - Abstain; Commissioner Praxis - Absent].

January 11, 2022 Approved Applicant's request to postpone to February 8, 2022 on the consent agenda. Vote: 12-0. [Commissioner Azhar – 1<sup>st</sup>, Commissioner Connolly – 2<sup>nd</sup>; Commissioner Howard was absent].

CITY COUNCIL ACTION:**March 3, 2022                      Scheduled for City Council**ORDINANCE NUMBER:ISSUES

Staff has received comments on this rezoning request. For all written or emailed comments, please see *Exhibit C: Correspondence Received*.

CASE MANAGER COMMENTS:

This property is located on the south side of W. 11<sup>th</sup> Street and is approximately 0.15 acres in size. It is currently zoned LO and is developed with a single-family residential unit. Adjacent

zoning consists of GO-MU to the east and LO to the west. Across the alley to the south and to the north across W. 11<sup>th</sup> Street are properties zoned GO, please see *Exhibit A: Zoning Map* and *Exhibit B: Aerial Map*.

The applicant is requesting DMU zoning to allow for a higher intensity of use and a mix of commercial and residential uses. This block of the Downtown Austin Plan (DAP) has identified a mixture of DMU-40 and DMU-60 properties. While the DAP identifies this property as DMU-40, it is surrounded by DMU-60 properties on three sides. Additionally, within this area there have been three rezoning cases in the last two years where the City Council has approved DMU-CO with height limits of either 60 or 90 feet.

Within the applicant's rezoning application, they stated they were agreeable to a conditional overlay to limit the building height to 60 feet on the property. Staff supports the addition of this CO.

The Downtown Austin Plan does not have a future land use map (FLUM) and therefore does not require a neighborhood plan amendment (NPA) to be considered with the rezoning request.

#### BASIS OF RECOMMENDATION:

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

This property is adjacent to and surrounded by GO zoned properties to the north, south and east. The GO zoning district has a maximum building height of 60 feet. Rezoning this property to DMU-CO with a height limit of 60 feet would be consistent with the existing zoning pattern.

#### EXISTING ZONING AND LAND USES:

	Zoning	Land Uses
Site	LO	Residential
North	GO	Residential, and Administrative and Business Offices
South	GO	Administrative and Business Offices and Personal Improvement Services
East	GO-MU	Medical Offices
West	LO	Administrative and Business Offices

#### NEIGHBORHOOD PLANNING AREA: Downtown Austin

TIA: A traffic impact analysis shall be required at the time of site plan if triggered per LDC 25-6-113.

#### WATERSHED: Shoal Creek Watershed

**OVERLAYS:** ADU Approximate Area Reduced Parking, Capitol View Corridor (MOPAC BRIDGE - SDCC, MOPAC BRIDGE), Criminal Justice Center Overlay, Downtown Austin Plan Districts: Northwest, Residential Design Standards and Selected Sign Ordinances

**SCHOOLS:** Mathews Elementary, O Henry Middle and Austin High Schools

**NEIGHBORHOOD ORGANIZATIONS**

Austin Independent School District  
 Austin Lost and Found Pets  
 Austin Neighborhoods Council  
 Central Austin Community Development  
 City of Austin Downtown Commission  
 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  
 West Downtown Alliance, Inc.

**AREA CASE HISTORIES:**

Number	Request	Commission	City Council
C14-2021-0078 Shoal Cycle	From LO, GO and MF-4 to DMU-CO	Approved DMU-CO; CO included a maximum building height of 90 feet and establishing office use as conditional above the first floor.	Approved DMU-CO as Commission recommended (8/26/21).
C14-2020-0036 827 W. 12 <sup>th</sup> Street	From DMU-CO to DMU-CO	Approved DMU-CO; CO included a maximum building height of 90 feet.	Approved DMU-CO as Commission recommended (6/4/20).
C14-2019-0050 827 W. 12 <sup>th</sup> Street	From CS to DMU-CO	Approved DMU-CO; CO included a maximum building height of 60 feet.	Approved DMU-CO as Commission recommended (6/20/19).
C14-2016-0110 West House LLC 1005 West Avenue	From MF-4 to DMU-CO as amended	Approved DMU-CO; CO included a maximum building height of 60 feet.	Approved DMU-CO as Commission recommended (1/26/17).

Number	Request	Commission	City Council
C14-2011-0010 821 W. 11 <sup>th</sup> Street	From MF-3 to DMU	Approved DMU-CO; CO included a maximum building height of 40 feet, minimum front yard setback of 15 feet, vehicle trip limit of 2,000/day, and a set of land uses.	Approved DMU-CO as Commission recommended (4/28/11).
C14-03-0085 813 W. 11 <sup>th</sup> Street	From LO to GO	Approved GO-MU.	Approved GO-MU as Commission recommended (7/13/03).
C14-01-0054 814 W. 10 <sup>th</sup> Street	From MF-3 to LO-MU	Approved LO-MU-CO; CO would require the applicant to maintain a gross floor area of 20% of the structure to be residential.	Approved LO-MU (6/27/02).

RELATED CASES:

There are no related cases.

EXISTING STREET CHARACTERISTICS:

Street	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
W. 11 <sup>th</sup> Street	60'	40'	Level 2	Yes	Wide Curb Lane	Yes

OTHER STAFF COMMENTS:Comprehensive Planning*Downtown Austin Plan*

The property is in the Northwest District of the Downtown Austin Plan (DAP). The applicant is proposing to change the zoning from Limited Office (LO) to Downtown Mixed Use (DMU). Currently the property is occupied with single-family residential use. The purpose of the rezoning request is to allow for higher intensity of use and a mix of commercial and residential uses as envisioned in the Downtown Austin Plan. Staff would support the conditional overlay limiting building height on the property to 60 feet.

Some of the Northwest 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 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
- AU-5.1: Provide incentives for Downtown office and employment uses. (p.22)
- 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 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.
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.

### PARD Review

PR1: Parkland dedication will be required for any new residential units proposed by this development, mixed use with DMU 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](mailto: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. Site plans will be required for any new development other than single-family or duplex residential.
- SP2. Any development which occurs in an SF-6 or less restrictive zoning district which is located 540 feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.
- SP3. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.
- SP4. FYI: Additional design regulations will be enforced at the time a site plan is submitted.

### *Compatibility Standards*

- SP5. It appears there are single family uses within 540 feet of the subject property. The site appears to be subject to compatibility standards (small site standards – 25-2-1062) due to proximity of single family uses along 10<sup>th</sup> and 11<sup>th</sup> Streets. The following standards apply:
  - For compatibility setback requirements from adjacent triggering properties, please refer to the specific frontage width of the subject property. It appears to be nearly exactly 50 feet. If it is less than 50 feet, the required compatibility setback is 15 feet from adjacent properties triggering compatibility. If it is between 50.01 – 52.50 feet, the side and rear setback requirements are 15 feet. If between 52.51 and 54.99, the side and rear setbacks requirements are 15.5 feet.
  - No structure in excess of two stories or 30 feet in height may be constructed within 50 feet of the property line.
  - No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line.

- For a structure more than 100 feet but not more than 300 feet from property zoned SF-5 or more restrictive, height limitation is 40 feet plus one foot for each 10 feet of distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from property zoned SF-5 or more restrictive, 60 feet plus one foot for each four feet of distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- No parking or driveways are allowed within 15 feet of the property line of triggering properties.
- Landscaping or screening is required along property lines of triggering properties. in accordance with the screening requirements (Section 25-2-1006 and ECM 2.9.1.), Parking Design Standards (Section 25-6-563) and/or Screening Standards (Section 25.2.1066) to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.
- An intensive recreational use, including a swimming pool, tennis court, ball court, or playground, may not be constructed 50 feet or less from property in an SF-5 or more restrictive zoning district.

#### *Demolition and Historic Resources*

SP6. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

#### *Criminal Justice Center Overlay*

SP7. The project is required to meet the requirements of § 25-2-650.

### Transportation

#### *ASMP Assessment*

The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for W. 11<sup>th</sup> Street. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for W. 11<sup>th</sup> Street according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

#### *Transportation Assessment*

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

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.

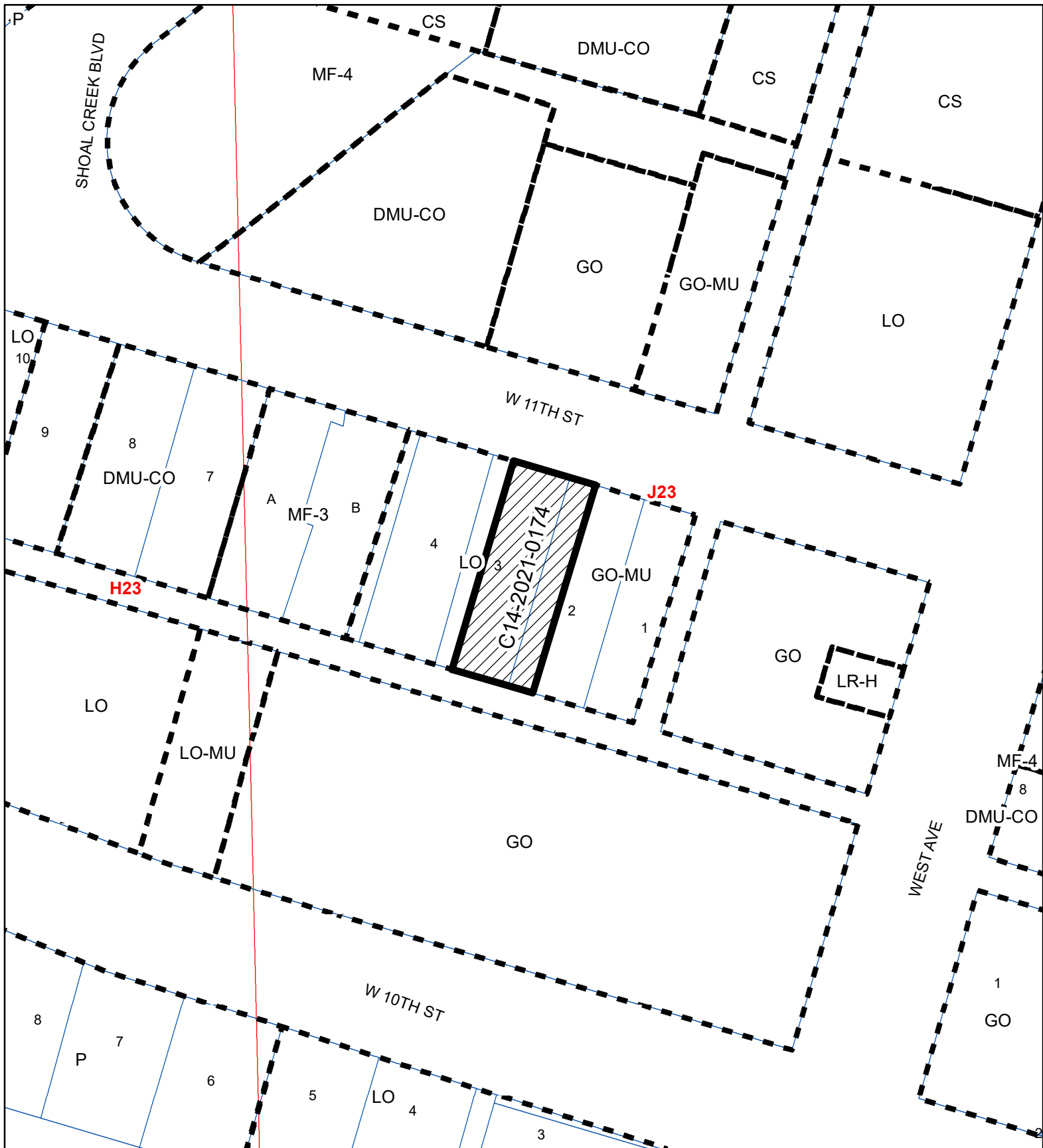
The landowner must pay the City inspection fee with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

INDEX OF EXHIBITS TO FOLLOW

Exhibit A: Zoning Map

Exhibit B: Aerial Map

Exhibit C: Correspondence Received







## 815 W 11TH STREET

Exhibit A

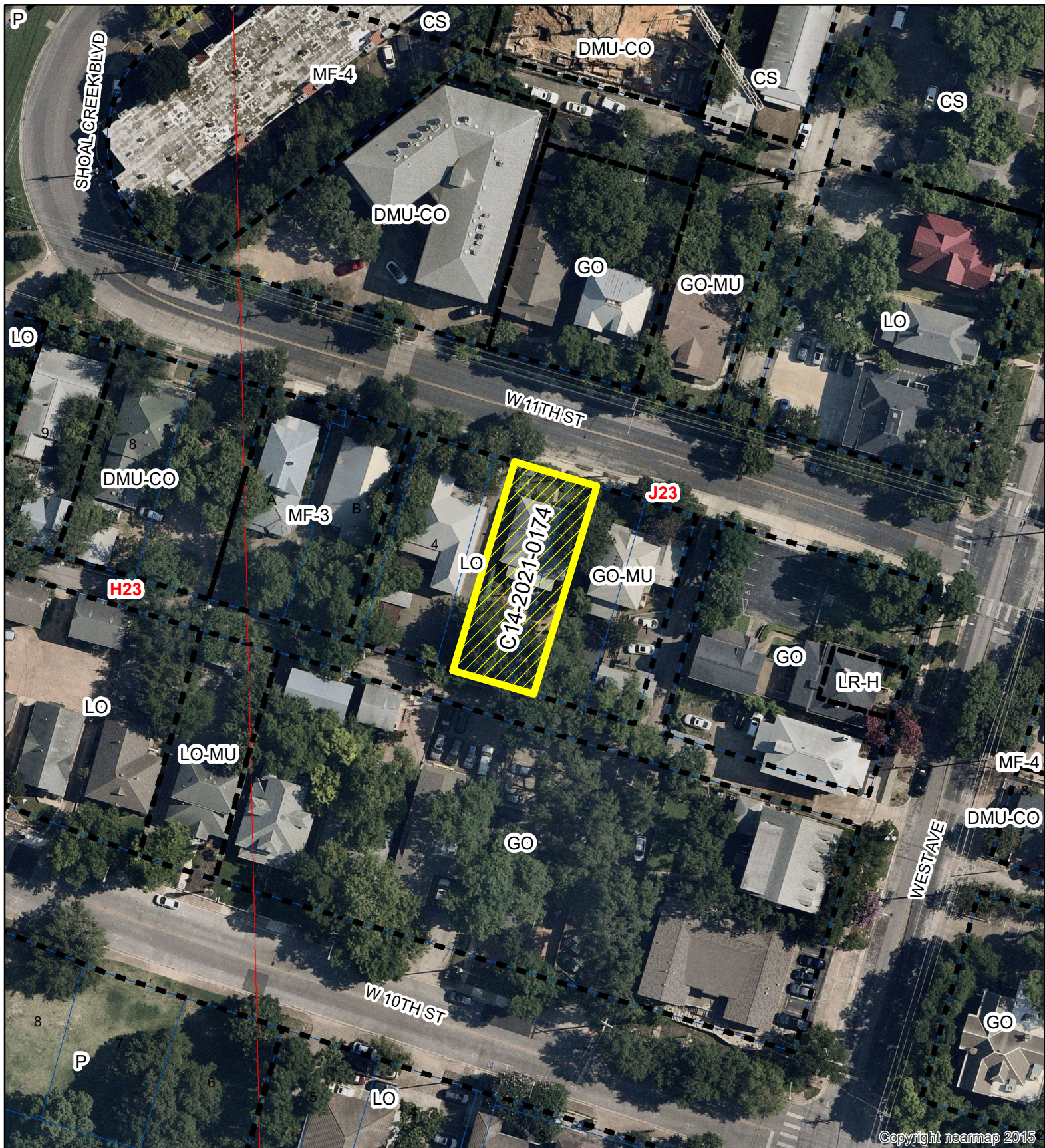
ZONING CASE#: C14-2021-0174  
 LOCATION: 815 West 11TH STREET  
 SUBJECT AREA: 0.1469 Acres  
 GRID: J23  
 MANAGER: KATE CLARK



1" = 75'

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

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1" = 75'



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE



CREEK BUFFER

## 815 W 11TH STREET

Exhibit B

ZONING CASE#: C14-2021-0174

LOCATION: 815 West 11TH STREET

SUBJECT AREA: 0.1469 Acres

GRID: J23

MANAGER: KATE CLARK



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## Exhibit C

### PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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

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

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

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

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

Case Number: C14-2021-0174

Contact: Kate Clark, 512-974-1237

Public Hearing: January 11, 2022, Planning Commission

JARED HAAS

Your Name (please print)

☒ I am in favor  
☐ I object

1110 WEST AVE.

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



Signature

12.31.21

Date

Daytime Telephone (Optional): 512.277.0945

Comments: MIXED-USE IS A MUCH MORE HEALTHY & SOCIALLY  
ENGAGING WAY TO LIVE. WE NEED GREATER DIVERSITY OF  
PROJECT TYPOLOGIES IN AUSTIN, ESPECIALLY IN THIS  
OTHERWISE HOMOGENEOUS NEIGHBORHOOD. THIS UPZONING  
HAS MY FULL SUPPORT.

If you use this form to comment, it may be returned to:  
City of Austin, Housing & Planning Department

Kate Clark

P. O. Box 1088, Austin, TX 78767

Or email to:

[Kate.Clark@austintexas.gov](mailto:Kate.Clark@austintexas.gov)

## Clark, Kate

---

**From:** Blake Tollett  
**Sent:** Sunday, January 2, 2022 3:38 PM  
**To:** Clark, Kate  
**Subject:** C14-2021-0174; 815 W. 11th Street

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

Good Afternoon City of Austin:

Please record me as in favor of the requested rezoning from the LO District to the DMU District, but only with the restriction of 40 feet of height entitlement, the current height entitlement commiserate with the LO District.

DMU-40 reflects what has been recommended under the Downtown Austin Plan/Northwest District as well as under the more recent CodeNext recommendations.

Personally, and as a decades long property owner in the close-by area, I have several concerns. There has been a recently approved DMU-90 residential project going in directly across the street from this property, and I question whether the existing infrastructure for this stretch of W. 11th Street is set up for this intense of development the two projects would generate; the street basically ends with a dog leg up to W. 12th Street where there is another moderate residential density project nearing completion. My understanding is this project anticipates accessing the property through the alley between W. 11th and W. 10th Streets, and my understanding is this alley is substandard at best. Yes, these infrastructure questions can be addressed further along in the property's development, but why ask them at all? What is the justification for the increase in entitlements beyond those available under the Downtown Austin Plan and CodeNext?

As a member of the City's Historic Landmark Commission, I have concerns about how this increase in entitlements will affect the historic fabric of this corner of our neighborhood. There are several historic properties along this block, and their owners will take notice of how this rezoning is done. Let's be honest, this is about money. Once it becomes precedence that you can take down properties in anticipation of redeveloping something beyond what your current zoning district allows, then the properties will come down. Avoiding or at least modifying this scenario is one of the guiding principals of the Downtown Austin Plan and the subsequent revamping of the plan under CodeNext.

Thank you for your consideration, and my regards;

Blake Tollett  
601-603 W. 12th Street

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## Clark, Kate

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**From:** Ted Siff  
**Sent:** Monday, January 3, 2022 11:00 AM  
**To:** Clark, Kate  
**Subject:** 815 West 11th Street - C14-2021-0174

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

Hello Kate:

At its meeting on December 13<sup>th</sup>, the Old Austin Neighborhood Association (OANA) board of directors voted to support this requested zoning change to DMU but with the height entitlement restricted to 40 feet.

DMU-40 reflects what has been recommended under the Downtown Austin Plan/Northwest District as well as under the more recent CodeNext recommendations.

All the properties on the southern face of the 800 block of West 11<sup>th</sup> are included as contributing properties in the [OANA sponsored & city supported West Downtown Historic Survey](#). If the additional height is granted at 815 W 11<sup>th</sup> it will surely be used as a precedent for other variance requests.

I'd appreciate you communicating this position and these concerns on behalf of OANA to the Planning Commission.

Additionally, I've been told that staff supports a 90' height entitlement. If this is true, on behalf of OANA's board, I ask: What is staff's justification for this increase in entitlements beyond those available under the Downtown Austin Plan and CodeNext?

Best, Ted

Ted Siff, Board President  
Old Austin Neighborhood Association  
[www.orginalaustin.org](http://www.orginalaustin.org)  
512-657-5414

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## Clark, Kate

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**From:** Donna D. Carter, FAIA  
**Sent:** Tuesday, January 4, 2022 4:53 PM  
**To:** Clark, Kate  
**Subject:** C14-2021-0174; 815 W. 11th Street  
**Attachments:** 2022\_0103 815 W 11th ltr Signed.pdf

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

Ms. Clark and Members of the Planning Commission.

Attached is my letter outlining my concerns about the above referenced case. I know you may not have time to read the entire letter. Please look at the pictures on the last page.

Although I do not agree with the decision to allow demolition of the existing property, in theory, I have no objection to rezoning from LO to DMU-CO, but with a height restriction of 40 feet. My concerns are as follows:

1. In allowing the demolition permit, our unique heritage area will lose a contributing structure. At the very least, the height should be limited to what was allowed with LO zoning.
2. The city has already approved a 90' behemoth across the street without regard to its historic neighbors, or the dangerous terrain and traffic conditions at the Shoal Creek W. 11th St. curve, we do not need more density across the street.
3. A rezoning to DMU is consistent with the Downtown Plan and the new Preservation Guidelines
4. The alley is substandard, with no options for improvement - one way in and out, 15' width, no drainage and steep terrain.
5. The area is now prone to flash flooding where urban run-off meets Shoal Creek flooding. We need to preserve our permeable surfaces.

Piecemeal rezoning rewards removing heritage trees, increasing impervious cover and demolishing historic properties. There are much more creative ways to increase density without the removal of historic resources.

--

**Donna D. Carter, FAIA**

**CARTER • DESIGN ASSOCIATES**

817 West Eleventh Street  
Austin, TX 78701

Phone: 512-476-1812

Fax: 512-476-1819

e-mail: [REDACTED]

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04 January 2022

RE: C14-2021-0174, Rezoning from LO to DMU-CO  
815 W. 11<sup>th</sup> St., Austin, TX

Planning Commissioners:

Let me be perfectly clear, I have no objection to the change in zoning from LO to DMU-CO. I do have an objection to a height greater than would be allowed under the current LO zoning or commensurate with DMU-40. And I strenuously object to making lot by lot, ad hoc decisions that disregard the recommendations of approved planning documents, including the Downtown Plan and Austin's new Preservation Guidelines. This project offers no urban design or public enhancements in exchange for enhanced entitlements, and does not address any of basic infrastructure deficiencies of the area.

I strenuously object to a 60' height allowance. At 60' the project will be out of scale with its historic neighbors, and the residentially scaled infill to the east. The Original Austin Neighborhood has a rich mixture of historic residences, historic structures that have been converted to offices, historic public buildings and schools. As a neighborhood community we value the historic setting, encourage preservation, enjoy enhanced urban green space, support multi-modal transportation including pedestrian access and new denser development when it is *respectful* of the historic context.

Buying into the fool's gold of residential density, the city has already allowed a 90' high behemoth across the street. The piecemeal, lot by lot decimation of a genial historic neighborhood should not be continued. A developer who promised one type of development at the historic review/demolition hearing should not be rewarded with increased density at each review by the city. It is not respectful of a graceful urbanization of Austin as envisioned by the Downtown Austin Plan, nor does it provide much reassurance that future community planning efforts will be honored.

However, height and history are not at the heart of my objections. My concerns are centered on lack of infrastructure planning to accommodate the increased density and the arrogant premise that all residential density is good. If a developer says they will add a few residential units to the project, they will get an affirmative vote. The building will primarily be office and given the configuration of the lot and the market, the final use may not be known until after construction. Asking for additional height affords the developer more rights than others in a similar situation or basically says this area will be far denser than the Downtown Plan, the Preservation Plan or even Imagine Austin envisioned. The piecemeal decision gut this special area of Austin from within, lot by lot. Death by a thousand cuts.

The approval of the 90' behemoth on the north side of the street, where a narrow 11<sup>th</sup> St doglegs into a dangerous curve at Shoal Creek; where urban flooding from the North now meets historical Shoal Creek flood waters; and where this clash of forces flooded my porch (which did not flood in 1981 or 2015) with the rains of 2021; should never have happened. Adding additional density on this short block will only make matters worse before the proper infrastructure plan can be budgeted, developed and scheduled. In the meantime, when it rains heavily, we become landlocked with the only way out of the neighborhood during a

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storm is 15<sup>th</sup> St. So far the approved plans for the area including the mixed use and institutional development on 12<sup>th</sup> St., Shoal Cycle and now this project have not addressed the area infrastructure issues.

Traffic and mobility are also an issue for the area. The planning reviews often note an 80 foot ROW on 11<sup>th</sup>. However at this end of the street and the ROW of Shoal Creek is far less. Pre-pandemic, traffic routinely backed up through several cycles at Shoal Creek and 12<sup>th</sup>. These traffic delays will be exacerbated with the already approved Shoal Cycle, the new commercial building on 12th and can only be made worse with another oversized building on the block and the future ACC parking expansion. I don't know what will happen with the 90' tower, but know it will not be helped by adding a 60' office across the street.

Finally, the subject property's only access is from what can be termed a dysfunctional alley, at best. There is only one legal, public way in and out. The alley measures 15' at the most. There is a 10' grade change at the ingress/egress turn. In addition, the alley does not drain, so after a ½" rain, there is standing water at the back of the subject property. It takes at least 24 hours before the water finds a place to go.

Thanks to the city's actions, we have 90' modern intrusion on a genteel street that forms a gateway to the Shoal Creek greenbelt and trail, we will lose a contributing property to our historic district that could have been restored added onto which would have augmented our district. Please do not add insult to injury by providing more entitlement than was ever envisioned for this area. Such entitlements should only be considered when there is true public benefit, not neighborhood decimation and disregard for the qualities that draw people to the neighborhood in the first place. Given the historic homes and offices nearby DMU-40 is more than reasonable.

Respectfully,



Donna D. Carter, FAIA  
President  
Carter Design Associates



Figure 1: Receding Flood Waters August 2021 at 817 W 11th St



Figure 2: Standing water behind subject property after rain

## Clark, Kate

---

**From:** Marshall Geyer  
**Sent:** Saturday, January 8, 2022 6:20 PM  
**To:** Clark, Kate  
**Subject:** Case Number: C14-2021-0174

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Hi Kate -

My name is Marshall Geyer and I am a homeowner of one of the units at 1101 Shoal Creek Blvd down 11th Street from the 815 W 11th st lot.

Just wanted to reach out to say that I am super excited about this upzoning and hope it goes through - I should be able to make it to the planning commission meeting on the 11th but was curious if there was anything specific I could do either before or at the meeting that would be helpful for the cause here?

I was gonna mail in the form saying I am in favor of this (I got mailed this since I live so closeby) but, unfortunately, I never got around to getting letters and stamps... would I be able to email you a picture of my form?

Thanks!

Marshall

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## Clark, Kate

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**From:** Philip Wiley  
**Sent:** Monday, January 10, 2022 9:44 AM  
**To:** Clark, Kate  
**Subject:** Fwd: Citcom: (1) 815 W. 11th Street Zoning, (2) TOD, (3) Planning logic for different walk sheds.

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----- Forwarded message -----

From: **Philip Wiley** <[philip9wiley@gmail.com](mailto:philip9wiley@gmail.com)>  
Date: Mon, Jan 10, 2022 at 9:41 AM  
Subject: Citcom: (1) 815 W. 11th Street Zoning, (2) TOD, (3) Planning logic for different walk sheds.  
To: Jeff Thompson <[bc-Jeffrey.Thompson@austintexas.gov](mailto:bc-Jeffrey.Thompson@austintexas.gov)>, <[bc-todd.shaw@austintexas.gov](mailto:bc-todd.shaw@austintexas.gov)>, <[bc-Carmen.Llanes@austintexas.gov](mailto:bc-Carmen.Llanes@austintexas.gov)>, <[BC-Robert.Schneider@austintexas.gov](mailto:BC-Robert.Schneider@austintexas.gov)>, <[BC-Claire.Hempel@austintexas.gov](mailto:BC-Claire.Hempel@austintexas.gov)>, <[BC-Joao.Connolly@austintexas.gov](mailto:BC-Joao.Connolly@austintexas.gov)>, <[BC-Patrick.Howard@austintexas.gov](mailto:BC-Patrick.Howard@austintexas.gov)>, <[bc-James.Shieh@austintexas.gov](mailto:bc-James.Shieh@austintexas.gov)>, <[BC-Awais.Azhar@austintexas.gov](mailto:BC-Awais.Azhar@austintexas.gov)>, <[BC-Jennifer.Mushtaler@austintexas.gov](mailto:BC-Jennifer.Mushtaler@austintexas.gov)>, <[BC-Solveij.Praxis@austintexas.gov](mailto:BC-Solveij.Praxis@austintexas.gov)>, <[BC-Grayson.Cox@austintexas.gov](mailto:BC-Grayson.Cox@austintexas.gov)>, <[bc-Yvette.Flores@austintexas.gov](mailto:bc-Yvette.Flores@austintexas.gov)>  
Cc: <[Andrew.Rivera@austintexas.gov](mailto:Andrew.Rivera@austintexas.gov)>, <[Jerry.Rusthoven@austintexas.gov](mailto:Jerry.Rusthoven@austintexas.gov)>, <[kate.clark@autstintexas.gov](mailto:kate.clark@autstintexas.gov)>

First - yes, a thousand times yes! - as an active Downtown resident for 30 years - **(1)** I support 815 W. 11th Street being rezoned to allow 60' height DMU-60, consistent with Staff's recommendation. The property was last rezoned in 1978 when Austin's population was 356,000, and the survival of Downtown was in question: <https://austin.towers.net/40-years-ago-downtown-austin-was-on-the-brink/>

Tastes and preferences have certainly changed, as has the bar for being environmentally responsible. Downtown Austin has become a magnet, again, mega this time. Whether 600' height, or unlimited height should be allowed at 815 W. 11th, in my professional opinion, is a better question in 2022. I was a Corporate Supply = Demand Planning Manager. After a decade of increasingly close observation of Austin's housing situation - it is beyond clear that we have a critical supply vs. demand imbalance - which I would like to now offer my volunteer service in support of y'all's broad expertise and never ending efforts. It takes a village.

Because I believe it true, I'll suggest **(2)** 815 W. 11th lies in the single highest Transit Oriented Development priority corridor for Austin density - the Project Connect "spine". That TOD corridor starts at Republic Square, goes approximately 6/10 of a mile south, west, east. How far it extends north is more arbitrary, suggest the first segment stop at MLK though, as the border of Downtown and West Campus, and this may be the most under zoned mile+ wide corridor in the State. The fastest way to Downtown is to be there already, and it is unquestionably a land of opportunity = access to transit jobs, education, medical, parks, groceries, 50/50 by 2040 = all of it. This corridor could and should lean more into equity - we have a generational chance to support the Downtown Plan vision and again welcome more diversity under the TOD banner.

The reason Guadalupe is the "spine" or heart of transit, **(3)** is because you can hardly cross it without seeing a helpful Downtown bus today. More so, tomorrow the orange and blue lines run in parallel there, and only there => so the opportunities to jump on a train are 2X other parts of the system. And average time between trains is more like 5 minutes than 10. The reason the rezoning "walk shed" should be more like 6/10+ of a mile radius here, vs. 5/10's in other areas, is because people will walk longer if the wait at the end is shorter. Another reason, many did not accept

one size fits all planning during CodeNEXT, and they have a valid point. Frequency and quality of service matter, it needs to matter more in our housing model that supports transit investments.

There is a field that specializes in modeling these type of things; like where Fed-X should fly out of, where Walmart / Amazon should place warehouses, and... supply/demand - many will recognize it as "Supply Chain". And when the system gets it wrong we don't have enough of stuff and it costs too much - the later being the markets way of finding equilibrium. Like Austin's current housing + transit expenses = one metric for affordability.

More later. Thanks for all you do!

Philip Wiley

Certified "Fellow" by Association for Supply Chain Management (CPIM-F)

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## Clark, Kate

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**From:** Kimberly Levinson  
**Sent:** Monday, January 10, 2022 10:44 AM  
**To:** Jeffrey.Thompson@austintexas.gov; todd.shaw@austintexas.gov; Carmen.Llanes@austintexas.gov; Robert.Schneider@austintexas.gov; Claire.Hempel@austintexas.gov; Joao.Connolly@austintexas.gov; Patrick.Howard@austintexas.gov; James.Shieh@austintexas.gov; Awais.Azhar@austintexas.gov; Jennifer.Mushtaler@austintexas.gov; Solveij.Praxis@austintexas.gov; Grayson.Cox@austintexas.gov; Yvette.Flores@austintexas.gov  
**Cc:** Rivera, Andrew; Rusthoven, Jerry; Clark, Kate  
**Subject:** 815 W 5th project

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To All Concerned:

The Downtown Austin Neighborhood Association Supports the zoning change sought by the owners of 815 W 5th Street from LO-40 to DMU 60, in accordance with our longstanding support for building more housing downtown, for the following reasons:

1.

Although it will only add two units of housing, the City of Austin is in the midst of a serious housing crisis. Every unit that can be added will help.

2. Adding this housing in the downtown core means two more households that will not necessarily require a car; they will likely both live and work downtown, thus not adding to the City's already severe traffic congestion.

3. Also, this is an area of downtown that needs more residents. More people in this area will make the area safer, as it will be more activated after dark, and businesses in the area will likewise benefit from the increased traffic. Indeed, we ask the City Council and Planning Commission to encourage further housing in this neighborhood.

4. Finally, the buildings abutting three sides of this site are already at 60 feet; therefore zoning this to match is consistent with the recent development of the neighborhood.

For all these reasons, we encourage the Planning Commission and City Council to approve this zoning change.

Respectfully yours,

Kimberly Levinson, President

Curtis Rogers, Vice President

Angela Hovis, Treasurer

Greg Anderson, Director

Frank Seely, Director

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## Clark, Kate

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**From:** Chris Riley  
**Sent:** Monday, January 10, 2022 5:07 PM  
**To:** Thompson, Jeffrey - BC; Llanes, Carmen - BC; Schneider, Robert - BC; Connolly, Joao - BC; Howard, Patrick - BC; Azhar, Awais - BC; Mushtaler, Jennifer - BC; Praxis, Solveij - BC; Praxis, Solveij - BC; Singh, Arati - BC  
**Cc:** Rivera, Andrew; Clark, Kate; 'Leah M. Bojo'; 'Anaiah Johnson'; 'Ted Siff'; 'Kimberly LEVINSON'; 'Greg Anderson'; 'Dan Keshet'; 'Marshall Geyer'; 'Philip Wiley'; 'Roger L. Cauvin'; 'Curtis Rogers'  
**Subject:** 815 W.11th (item B-13) -- please support the request for 60'

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Hey Planning Commissioners:

I hope you'll vote to support applicant's request, and staff's recommendation, for 60 feet of height at 815 W.11<sup>th</sup> Street. This is item B-13 on your agenda for Tuesday, Jan. 11.

The Downtown Austin Plan was approved over a decade ago. In the years since then, we've adopted Imagine Austin (2012), the Strategic Housing Blueprint (2017), the Austin Strategic Mobility Plan (2018), and Project Connect (2020). All of these plans argue for a more compact, transit-oriented central city. Restricting this site to 40 feet of height would fly in the face of all those more recent planning efforts.

We really need to start taking climate change seriously. That means allowing greater density in central locations like this that can be served well by transit.

I have lived in old homes in this neighborhood since 1990. In my view, the most urgent priority for our neighborhood is to add more housing, as the applicant proposes here. Welcoming new neighbors serves the interests of this neighborhood, this city, and this planet.

Thanks for your service, and for considering this input.

Best regards,

Chris Riley  
1310 San Antonio St., #1

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