

June 9 City Council Hearing
NPA-2022-0019.01.SH_Cady Lofts
C14-2022-0019.01.SH_Cady Lofts
Corrected Summary Letter and Late Back Up for
June 9 City Council hearing

City of Austin Application Packet for Neighborhood Plan Amendment
For Individual Property Owner

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Neighborhood Plan Amendment
SUMMARY LETTER

This request to change one lot from Single Family FLUM designation to a Multifamily designation and two lots from Mixed-Use Office designation to Multifamily FLUM. This site is being submitted to TDHCA for the 2022 9% Housing Tax Credit cycle, the three lots being submitted at 1004, 1006, and 1008 E. 39th Street. 1006 and 1008 are both zoned LO-MU and show FLUM designation for Mixed-Use/Office, the third lot that is under contract for this project is 1004 E 39th Street which is currently zoned SF-3 and has a FLUM designation for Single Family. Our request is to change the neighborhood plan to show all three lots as Multifamily to allow for the development of 100 permanent supportive housing units for Austin residents. This project has already applied to utilize Affordability Unlocked and has been preliminarily approved as a Type 2 project.

From: Joshua Ellinger

Sent: Monday, May 23, 2022 4:32 PM

To: Rivera, Andrew <Andrew.Rivera@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>

Subject: Re: Postponement on the Cady Lofts Items for Tomorrow's Meeting from CANPAC and Hancock NA

*** External Email - Exercise Caution ***

Andrew,

Obviously, we are going to hear this tomorrow night and the outcome will be an MF-4 recommendation to council. My only ask of staff is that they explain why MF-3 was not recommended.

Please replace my presentation with the attached powerpoint. I plan to focus on the road ahead.

Thanks again to you three for your work on this case.

Josh

Joshua Ellinger – Data Scientist / Business Owner / Austinite.

I grew up in Austin.

My grandparents were union organizers.

My parents helped create Wheatsville Food CO-OP and College Houses.

I have written software that runs in every refinery in the world, but this is my first attempt to do something my grandparents would be proud of.

My motto is:

“If you don’t try to do impossible things, you never know what’s possible.”

Why I am here?

I live 150 feet from the proposed development. I’ll be proud when it gets built.

Because it will be an unprecedented accomplishment for Austin.

We are going to do something you think is impossible - show the City that you can build projects like this with real neighborhood support, not merely reluctant acceptance.

So... I’m a YBIBBA -- **“Yes but it better be awesome”**.

I have obtained one small win for everyone already (the current green courtyard design). I need a project that works for the neighborhood as the first step to fixing a broken system.

Risk #1: Granting the zoning change may lead to Market-Rate apartments.

If you grant the zoning change (particularly MF-6) but the development falls through, someone will build apartments like those at Concordia.

This would be a much lower density (55-75 units per acre). Physically, the neighborhood could handle much better than 135 people per acre.

But I would consider that a missed opportunity.

Risk #2: The Battle leads to a War.

Pushing this through without addressing the neighborhoods concerns will result in more delay in the long run. We are on the path to a CodeNext-like fiasco.

We are going to waste the summer when we could have been trying to acquire more land.

But the bigger danger is with the City as a whole. Austin is watching, as JP said. Will the property owners fund affordable housing if it means the City can force a high-density development into any neighborhood using Affordability Unlocked?

We are sitting on powder keg, playing with matches.

A better process is needed – Let's start now


JP Connelly and I met last week. We agree on the end goal and disagree on how to get there.

I think we should come together as a community, find alternative funding for Cady Lofts, and create a development we all can support through a better process.

Then use it as an example for the rest of the City.

It is not just possible – It is necessary if we are going to build another 20 buildings in the next 3-5 years.

Extras



I am not a typical Austinite -- I favor higher density in the urban code.



But let's look to Europe, not Southern California

Staff - The existing 'basis' is inaccurate

1. Density – Developers are proposing **135 per acre** in a district designed for “maximum density of **36 to 54** units per acre, depending on unit size”.
2. Transition – **There is no transition.** It goes from single family home to a three-story wall of concrete in under 50 feet.
3. Intensive Development by Highways – Staff notes that MF-6 is not appropriate but claims MF-4 + AU is without explanation.

Let's get real -- AU is a magic wand

The real basis for the MF-4 recommendation is that:

The Council want any zoning changes associated with Affordability Unlocked to be sent through without any review or consideration.

MF-3 is most you could justify in this area under normal process.

Question: Alternatives to the 'Light Canyon'?

Thank for supporting the delay. It was useful.

1. We have rooms with windows overlooking adjacent properties.
2. The neighbors will likely add privacy screens.
3. This creates a narrow canyon for light.

Can we get something better for the people on the first floor without switching to a residential tower? Can we preserve the option for a Barcelona-style avenue instead of an LA style ally?

From: Alice Woods <
Sent: Monday, May 23, 2022 11:39 AM
To: Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: Megan Lasch <Sally Gaskin <
Subject: Cady Lofts Additional Backup

*** External Email - Exercise Caution ***

Hi Sherri and Maureen,

Please find attached additional backup for tomorrow's planning commission meeting, I'm sorry we did not get these to you last week—hopefully they can still be shared with commissioners.



ALICE WOODS

Development Associate

Saigebrook Development | O-SDA Industries

AWoods@saigebrook.com | C: 314.540.5355

5501-A Balcones Dr. #302 Austin, TX 78731

From: [Alice Woods](#)
To: [Coan Dillahunt](#)
Cc: [Hugh Bender](#); [Bart Whatley](#); [Linda Guerrero](#); [Abby Penner](#); [Sally Gaskin](#); [Megan Lasch](#)
Subject: RE: Cady Lofts - Continuing Discussion
Date: Monday, May 23, 2022 11:28:00 AM
Attachments: [image001.png](#)

Hi all,

I just wanted to check in to see whether there are any additional questions we can answer before planning commission tomorrow. We are available for a phone call or meeting today or tomorrow before then.



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

From: Alice Woods
Sent: Friday, May 13, 2022 11:34 AM
To: Coan Dillahunt <[REDACTED]>
Cc: Hugh Bender [REDACTED]; Bart Whatley [REDACTED]; Linda Guerrero [REDACTED]; Abby Penner [REDACTED]; Sally Gaskin [REDACTED]; Megan Lasch [REDACTED]
Subject: RE: Cady Lofts - Continuing Discussion

Coan,

Please see attached slides showing the two options proposed and a table addressing your questions. Please note that in the City of Austin, zoning does not lock in a site plan, and we are happy to continue altering the site plan with the neighborhood after zoning, if that is desired. Our site plan is not fixed until we go through site plan review with the City, which we anticipate starting in the fall of this year.

As far as comparable properties I know that New Hope would be happy to tour any interested neighbors around their existing projects in Houston. They will also be at the CANPAC meeting to answer any questions about their existing projects in greater detail.

Please continue reaching out with questions and let us know if you want to have a discussion on Monday before the CANPAC meeting.

ALICE WOODS
Development Associate
Saigebrook Development | O-SDA Industries
[REDACTED]



5501-A Balcones Dr. #302 Austin, TX 78731

From: Coan Dillahunt <[REDACTED]>
Sent: Friday, May 13, 2022 10:26 AM
To: Alice Woods <[REDACTED]>
Cc: Hugh Bender <[REDACTED]>; Bart Whatley <[REDACTED]>; Linda Guerrero <[REDACTED]>; Abby Penner <[REDACTED]>; Sally Gaskin <[REDACTED]>; Megan Lasch <[REDACTED]>
Subject: Re: Cady Lofts - Continuing Discussion

Hello Alice,

Thank you for following up. We have two questions we could use help with in advance of the CANPAC meeting:

On Tuesday, Megan mentioned that option 1 no longer required MF6 zoning based on your recent analysis and code be done with another zoning type (MF4?). Could you please share the zoning option 1 would require for all 3 lots along with expected height, setbacks, impervious cover, and building cover? Could you also please provide that information alongside the same information for the original option and option 2. That would be helpful to make an informed decision about the zoning case during the CANPAC meeting.

Regarding touring the existing properties, we do have a question about comparable facilities. Do you have an existing facility that is a match for this project? We'd be interested to hear about your or New Hope's experience with 100 SRO units of supportive housing in or adjacent to single-family zoning.

Thank you,

Coan Dillahunt

On **Fri, May 13, 2022** at 10:15 AM Alice Woods <[REDACTED]> wrote:

Hi Coan,

Just wanted to follow up and loop in the rest of the zoning committee to see if we can get together for a meeting today or next week—we are available in person or for a zoom call, and also would love to show you all one of our existing properties if there is interest in that.

Please let us know how you'd like to proceed.



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

From: Megan Lasch <[REDACTED]>
Sent: Wednesday, May 11, 2022 8:59 PM
To: Alice Woods <[REDACTED]>; coan dillahunty <[REDACTED]>
Cc: Abby Penner <[REDACTED]>; Sally Gaskin <[REDACTED]>
Subject: RE: Cady Lofts - Continuing Discussion

Hi Coan,

Following up on Alice's email below to make sure it was received. Do you all have any availability Friday afternoon for a discussion or Monday?



MEGAN LASCH
President
O-SDA Industries, LLC
[REDACTED]
[REDACTED] www.o-sda.com
5501-A Balcones Dr. #302 Austin, TX 78731

From: Alice Woods <[REDACTED]>
Sent: Wednesday, May 11, 2022 9:21 AM
To: coan dillahunty <[REDACTED]>
Cc: Megan Lasch <[REDACTED]>; Abby Penner <[REDACTED]>; Sally Gaskin <[REDACTED]>
Subject: Cady Lofts - Continuing Discussion

Hi Coan,

Thanks for the frank discussion after P&Z last night, and it was great to meet Jenn. Per our conversation, I wanted to follow up about whether you think there is a smaller CANPAC contact team that we should meet with before our meeting on the 16th.

As far as meeting with the Hancock NA, we are available this Friday and much of next week for in person or virtual meetings. I also want to reiterate Sally's offer for any interested neighbors to tour New Hope Housing's existing communities in Houston. We are also always excited to show anyone interested around our existing communities in Austin, especially the Abali as it is so close

to the neighborhood.

Please let me know what you would like to do as far as next steps, and of course feel free to loop in any other neighborhood representatives.



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

From: Coan Dillahunt <
Sent: Tuesday, May 17, 2022 3:30 PM
To: Truelove, Rosie <Rosie.Truelove@austintexas.gov>
Cc: Rusthoven, Jerry <Jerry.Rusthoven@austintexas.gov>; Meredith, Maureen <Maureen.Meredith@austintexas.gov>; Sirwaitis, Sherri <Sherri.Sirwaitis@austintexas.gov>; Bart Whatley <>; Bruce H. Fairchild <Laura T. <lautul1995@gmail.com>; Jen Dillahunt <jendilla@gmail.com>; Victoria Carpenter Holmes <victoria.carpenter.holmes@gmail.com>
Subject: RE: Hancock Neighborhood Association's objecting to Recommendations Made by City Staff and Citing the Immediate Need for Further Expert Review of Effect of Homeless Housing Project on the Immediate Neighborhood from 100 units of 451 s.f. each proposed ...

*** External Email - Exercise Caution ***

Date: May 17, 2022

To: Rosie Truelove – Director of Housing & Planning – via email
at: Rosie.Truelove@austintexas.gov
cc: Jerry Rusthoven – Housing and Planning Department – via email
at: Jerry.Rusthoven@austintexas.gov
cc: Maureen Meredith – Senior Planner Inclusive Planning Division – via email
at: Maureen.Meredith@austintexas.gov
cc: Sherri Sirwaitis – Austin Zoning – via email at: sherri.sirwaitis@austintexas.gov

From: Hancock Neighborhood Association

RE: Hancock Neighborhood Association's objecting to Recommendations Made by City Staff and Citing the Immediate Need for Further Expert Review of Effect of Homeless Housing Project on the Immediate Neighborhood from 100 units of 451 s.f. each proposed for 1004, 1006, 1008 E. 39th St., Austin, TX 78751 with case numbers as follows: NP-04-0021

HANCOCK NEIGHBORHOOD ASSOCIATION'S ("HNA") OPPOSITION

**TO CITY STAFF RECOMMENDATION TO APPROVE NEIGHBORHOOD PLAN
AND ZONING AMENDMENT FOR THE PURPOSE OF PERMITTING A HOMELESS
HOUSING PROJECT IN HANCOCK NEIGHBORHOOD**

Below is HNA's Review Sheet Objecting to Recommendations Made by City Staff and Citing the Immediate Need for Further Expert Review of Effect of Homeless Housing Project on the Immediate Neighborhood

Below is HNA's Request for Postponement of Planning Commission Hearing of this Matter for the Reasons Stated Herein

NEIGHBORHOOD PLAN: Central Austin Combined (CANPAC)

CASE#: [NPA-2022-0019.01.SH](#)

PROJECT NAME: Cady Lofts

ADDRESS/ES: 1004, 1006, and 1008 E. 39th Street

DISTRICT AREA: 9 **SITE AREA:** 0.736A

OWNER/APPLICANT: Cady Lofts, LLC

CASE MANAGER: Maureen Meredith

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Single Family and Mixed Use/Office **To:** Multifamily Residential

Base District Zoning Change

Related Zoning Case: C14-2022-0019.SH

From: SF-3-CO-NP & LO-MU-NP **To:** MF-6-NP

NEIGHBORHOOD PLAN ADOPTION DATE: August 26, 2004

CITY COUNCIL DATE: TBD

HNA OPPOSITION, RECOMMENDATION, REQUEST FOR POSTPONEMENT:

HNA opposes the zoning and Neighborhood Plan change because it singles out an individual parcel(s) in a district and neighborhood plan – which are now planned and zoned for residential and limited office and mixed use – for the express purpose of allowing the City of Austin, together with the Applicant, to rezone and then to jointly arrange for the construction of a large 100-unit homeless housing project in the residential Hancock Neighborhood.

As may be seen from the below comments, the Staff recommendation is incorrect and inaccurate in many respects.

HNA SUPPORT FOR AFFORDABLE HOUSING

The HNA strongly supports projects such as the 65-unit affordable housing project composed of one, two, and three-bedroom units, which the developers proposed for the same site in 2020. Further, the HNA encourages coordination between the City and neighborhoods to identify properties that would allow the highest and best use of affordable and supportive housing.

BASIS FOR HNA’S OPPOSITION, ITS RECOMMENDATION, AND ITS REQUEST FOR POSTPONEMENT

The Staff recommendation is incorrect and inaccurate in many material respects:

1. The Applicant proposes to build a 100-room housing project for people who are homeless, persons with drug and alcohol addiction, and with intellectual disabilities or mental health issues. This aspect of the project was not revealed in Staff’s report – instead, the Staff characterized this Project as “affordable housing” in most references and, in a few cases, called it “supportive housing.” However, as is evidenced in the Applicant’s filings made to TDHCA for tax credits, the Applicant itself stated the residents of the housing project will include, among others, the following:

Persons with Special Housing Needs (alcohol or drug addictions.....)

Homeless, Chronically Homeless, and Persons at-risk of homelessness

Persons eligible to receive primarily non-medical home or community-based services

Persons unable to secure permanent housing elsewhere due to high barriers

Please see **Exhibit A** attached hereto, which is the developer's own description of the project's residents submitted under oath to the TDHCA.

Therefore, the Staff recommendation appears materially incomplete.

2. The Staff failed to include any documentation or expert analysis addressing the concern that the proposed homeless housing project as planned and designed may create significant issues regarding: (a) the quality of the immediate and long-term use, operation, and management of the project AND (b) the risk of the increased likelihood of crime and/or drug use in the neighborhood (exacerbating already difficult safety issues in the neighborhood). These issues were ignored by Staff.

The possible increase in crime and unsafe conditions – in a predominantly residential area with families and on a street with no sidewalks and parking on two sides – is a condition regarding the public health, safety, and welfare that must be properly and thoroughly addressed.

Because of the failure of the City to take public health and safety into account in its report to the Planning Commission, a group of concerned neighbors is in the process of hiring an expert urban planner and/or expert in neighborhood safety considerations.

The expert will need at least 30 days to complete an expert report. This report would assist the Staff, the Planning Commission, and the City Council in better understanding the true planning issues involved before deciding to place a homeless housing project in a residential area that would have an irreversible impact for over 50 years.

3. Staff failed to provide any transit report or pedestrian safety analysis - which issue also impacts the public health, safety, and welfare.

The dramatic increase of more than 100 persons walking on 39th street daily was not properly reviewed by Staff. 39th St. to the west of the project is a predominantly residential street with families. It has no sidewalks and parking on two sides is allowed. With such conditions, the increased pedestrian traffic would be unsafe and contrary to public health, safety, and welfare.

The location for this type of project should be more carefully selected to provide for modern urban sidewalks and pedestrian mobility. *Rather, it seems that this location is being forced onto a predominantly residential area on a street with no sidewalks that dates to the 1940s.*

Because of the failure of the City to take pedestrian safety into account, a group of concerned neighbors is in the process of hiring an expert civil engineer to examine this issue.

The expert will need at least 30 days to complete an expert report. This report would assist the Staff, the Planning Commission, and the City Council in better understanding the true planning issues involved before deciding to place a homeless housing project in a residential area that would have an irreversible impact for over 50 years.

4. The Project does not show present detailed evidence that it meets SMART Housing requirements as per City ordinance, although the City staff claimed that “it is SMART Housing certified”

The HNA has sought to determine how a project of the proposed general design can be deemed to be “certified” as a SMART Housing as it appears to be lacking certain pre-conditional elements needed to qualify. The HNA cannot find at present, any evidence of actual compliance with the SMART Housing ordinance (or documentation for it) - although it is seeking such. HNA needs more time to analyze this issue.

HNA respectfully requests the opportunity to discuss and review this with Staff.

5. Decrease in surrounding property values was not mentioned by Staff, contrary to requirements

There are approximately 100 homes in the key area within 1500 ft of the proposed homeless housing project. Based on research by the National Association of Realtors and the Fiscal Office of the Budget of New York, home values for those living near a homeless housing project may decline by more than 7 %. Therefore, it is possible that over 100 Austin families would suffer some degree of financial loss if this homeless housing project were to be constructed - although the exact amount of diminution will be unknown until an appraiser can give an expert opinion.

Also, some families in the neighborhood have already been advised by licensed professionals that they must make a disclosure, per Texas law, on a Sellers Disclosure Notice that a request for a zoning change has already been made.

Because the City did not take this factor into account, a group of concerned neighbors in the process of hiring an appraiser to render an expert opinion.

The expert will need at least 30 days to complete an expert report. This report would assist the Staff, the Planning Commission, and the City Council in better understanding the true planning issues involved before deciding to place a homeless housing project in a residential area that would have an irreversible impact for over 50 years.

6. Certain Items May Be Contrary to Austin Land Development Code

(a) **HNA has been advised that the notices required under Austin LDC Section 25-1-132 were not received by some “interested parties” and residents residing on the south side of Becker St - which is within 500 ft of the project.** This includes the notices regarding the filing of the original application for a zoning change and notice of the Planning Commission hearings.

HNA respectfully requests that Staff provide it with proof of mailing notices and the names and addresses to which each of the two above referenced 500 ft. notices were sent. Until such time, this matter should be postponed.

(b) **As mentioned, HNA would respectfully appreciate the opportunity to see if this project has been properly certified as SMART Housing.** If evidence shows that this project does not meet the LDC’s SMART Housing requirements, then the ramifications may affect notices and other procedural and substantive issues regarding this application.

7. A large portion of the Staff’s verbiage in its report included “boilerplate” text about Imagine Austin, Austin Housing Blueprint, and Transportation Corridors - however, these concepts are so general that they could be used to support or oppose any particular project depending on the inclination of the reviewer.

Imagine Austin is very general. It is a comprehensive plan that is about setting goals and policy; it’s not a zoning tool. Parts of the plan could be used to argue for the development, while other parts could be used to argue against it.

Also, the *Strategic Housing Blueprint* is a general plan that sets goals and strategies; it is not a zoning tool.

8. State laws governing zoning and zoning changes

The Texas Local Government Code in Chapter 211 specifies that zoning powers granted to a municipality are for the purpose of promoting **public health, safety, morals, or general welfare** and that comprehensive plans are to be designed for lessening congestion on the streets, prevent overcrowding of land, and avoid undue concentration of population. Further, the regulations must be uniform in a district and should be adopted with reasonable consideration, among other things, for the character of each district and its peculiar suitability for particular uses, **with a view of conserving the value of buildings and encouraging** the most appropriate use of land.

Austin’s LDC also has *Recommendation Criteria* regarding recommending and approving a neighborhood plan amendment that is consistent with the above.

As mentioned previously, the HNA has already observed data from professional sources that a homeless housing project may decrease nearby property values of a large number of Austin residents – and it plans to hire an appraiser to verify this.

HNA is also aware that there are several other locations presently available in close proximity to this property that appear to meet Imagine Austin and Strategic Housing Blueprint concepts that would not create the same problematic and serious issues (mentioned above) as would these individual lot(s) on 39th St.

As may be observed by the issues mentioned above in this Opposition, it does not appear that these state law requirements have been taken into account. HNA believes this issue deserves further analysis by all parties and intends to consult with counsel.

9. Spot zoning and contract zoning are not permitted in Texas

HNA has discovered that the City and its agencies have entered into several agreements with this Applicant whereby both have apparently singled out this particular lot on 39th St. for a homeless housing project and that the City has assisted the Applicant so as to facilitate this project on this particular lot.

A group of concerned neighbors is in the process of retaining counsel for the purpose of examining the factual evidence and the applicable law to determine if the City's and the developer's actions constitute impermissible "spot zoning" and impermissible "contract" zoning.

HNA believes that the law firm it plans to retain can form an opinion within 2 weeks after it receives the PIR documentation requested from the City. However, the City has stated that complete responses to PIR requests will not be available until June 16, 2022.

10. Due process - HNA is entitled to a fair and reasonable time period in which to gather evidence, information and present the same to its experts for review

Since certain information will not be available from the City until June 16, 2022, and in light of the need for HNA's experts to review matters, HNA respectfully requests a 30-day postponement of the Planning Commission hearing of this matter. This request is not made for the purpose of delay but rather that HNA's due process rights may be preserved.

If a postponement for 30 days were not permitted, then HNA would clearly be prevented from the opportunity to have a fair hearing before the Planning Commission.

11. There is no expediency or other rationale that may be suggested to deny basic constitutional rights of due process

It is unfortunate the Applicant has certain "funding deadlines" and is requesting "rush" treatment of their application – but HNA strongly disagrees that this is a "rush" or "panic" situation. The issues raised are serious ones.

The City is a co-developer with the Applicant for this homeless housing project. The City's agencies have offered to provide millions of dollars for this project and agreed that it would buy

the land for the project. Now, the City's Staff provided a "recommendation" to change the zone and neighborhood plan – which "recommendation" was incomplete in numerous material respects.

HNA is entitled to due process, which includes a fair and unbiased review by independent experts **and** adequate time to have such experts review data and prepare reports.

The due process rights of the hundreds of families that may be adversely affected by this project - if it were approved in the form it now stands - are at stake.

There are other properties and other funds available for developers to construct homeless housing projects in other areas. The HNA does not object to a 65-unit affordable housing project which the developers proposed in 2020.

The HNA and many residents nearby the project believe that Staff did not make but should have made a complete and thorough review of all relevant issues - including fairly taking into account the numerous issues of public health, safety, and welfare, mentioned herein.

At this time, the application to change Neighborhood Plan and present zone should be denied; or alternatively, this matter should be continued for 30 days.

Respectfully submitted,

Hancock Neighborhood Association

By: Coan Dillahunty

Its President

Development Narrative

1. The proposed Development is: (Check all that apply)

☒ New Construction

and/or:

4% or 9% HTC Adaptive Reuse: select New Construction here and Adaptive Reuse in next box. MFOL: select New Construction or Rehab here and Adaptive Reuse in the next.

NOTE: If "Adaptive Reuse", review 10 TAC §11.1(d)(1) to ensure compliance.

Previous TDHCA #

If Acquisition/Rehab or Rehab, original construction year:

If Reconstruction: Units Demolished

Units Reconstructed

If Additional Phase: Development Name:

Application Number

2. The Target Population will be:

☒ Supportive Housing

NOTE: If "Elderly Development", review 10 TAC §11.1(d)(47) to ensure compliance.

If Elderly is selected (10 TAC §11.1(d)(47)):

- ☐ Development meets the requirements of the Housing for Older Persons Act under the Fair Housing Act.
- ☐ Development receives federal funding that has a requirement for a preference or limitation for elderly persons or households, but must accept qualified households with children.
Selection is based on funding from (include citation)
- ☐ Development will receive other funding that has a requirement for a preference or limitation with regard to the population(s) served. If so, please explain in the box below.

Certification for Supportive Housing Applications

If Supportive Housing is selected (10 TAC §11.1(d)(126)), the Applicant or General Partner confirms that:

- ☒ The proposed Development is intended for and targets occupancy for households in need of specialized and specific non-medical services in order to maintain housing or transition into independent living.
- ☒ Supportive services are tailored for members of a household with specific non-medical needs (select all that apply):
 - ☒ Homeless or Persons at-risk of homelessness
 - ☒ Persons with physical, intellectual, and/or developmental disabilities
 - ☒ Youth aging out of foster care
 - ☒ Persons eligible to receive primarily non-medical home or community-based services
 - ☒ Persons transitioning out of institutionalized care
 - ☒ Persons unable to secure permanent housing elsewhere due to high barriers
 - ☒ Persons with Special Housing Needs (alcohol or drug addictions, VAWA protections, HIV/AIDS, Veterans with Disabilities)
 - ☐ Other target populations that are served by a federal or state housing program (provide documentation behind this Tab)
Describe:
- ☐ Services will be provided by the Applicant or an Affiliate of the Applicant.
- ☒ Services will be provided by a Third Party provider and evidence that the provider has at least a three-year record of providing substantive services similar to those proposed in the subject Application in residential settings is provided behind this Tab.
- ☒ Supportive services will meet the minimum requirements provided in clauses (i) –(iv) of §11.1(d)(126)(D) of the Qualified Allocation Plan.

Tab 17 – Development Narrative
CADY LOFTS - AUSTIN, TEXAS
TDHCA #22274

126. (A) Who is going to live there?

100% of the units will be dedicated to

- Homeless, Chronically Homeless, and Persons at-risk of homelessness
- Persons eligible to receive primarily non-medical home or community-based services
- Persons unable to secure permanent housing elsewhere due to high barriers

Cady Lofts is committed to helping Austin solve its homelessness crisis through strict adherence to the 2022 QAP requirements for Supportive Housing developments. A comprehensive Tenant Selection Criteria has been drafted, which includes the criminal history screening measures outlined in the QAP, and also provides an appeal process for denied applicants.

Cady Lofts will work with the local Continuum of Care organization, ECHO, for referrals from the coordinated entry system to house individuals experiencing homelessness and those with physical/mental disabilities and in need of deeply affordable housing. While the development's income targeting set-asides ranges from 30% AMI to 60% AMI, a minimum of 25% of the units will have project-based housing vouchers. To date, HACA has awarded 25% of the vouchers. See copy of Agreement dated February 22, 2022, to enter into a Housing Assistance Payment Contract AHAP and 20 year Housing Assistance Payment (HAP) contract included in Section below relating to 126. E.(ii).

The goal of Cady Lofts is to design an uplifting, healthy, inclusive, therapeutic space that will foster stability and wellness. SGI Ventures and AAHC—ownership and development partners, together with NHH, Saigebrook and O-SDA as design consultants—are familiar with designing trauma informed spaces.

Keeping the communication pathways open between the residents and staff informs NHH's mission, operations, services, and development objectives. Through a Resident Feedback Collaborative, residents of Cady Lofts will have the opportunity to help shape the community in which they live. For decades, New Hope Housing has put its residents first and formally solicited feedback in its pursuit of continual improvement. This engagement with residents has shown that the most desired elements of supportive housing are: a feeling of security, privacy, autonomy, access to services, and community. NHH has incorporated each of these into the design of all its communities and anticipates implementing them at Cady Lofts.

Cady Lofts will be designed utilizing a trauma-informed design – a concept at the intersection of architecture and mental health. The majority of residents who will find a home at Cady Lofts will have suffered traumatic experiences caused by homelessness.

As the project has moved forward and the architect team moves to full design and specifications, this same team has provided input on trauma-informed design – including unique unit features relating to cabinets and closets, placement of windows and site lines, just to name a few. Further, common spaces have incorporated trauma informed design, with large spaces and openings, as to not have “hidden” spaces.

New Hope Housing has decades of experience working with persons experiencing homelessness and through their work in leasing housing units, staff are very familiar with how design can impact housing stability and success. Because of NHH's commitment to a holistic housing solution, 98% of its residents in its own developments are stable in housing and do not return to homelessness. Further, AAHC through its developments has experience with vulnerable resident populations.

From: Victoria Scott Carpenter <v
Sent: Tuesday, May 17, 2022 4:30 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Subject: Re: Public Comment RE: Plan Amendment Case #: NPA-2022-0019.01.SH

*** External Email - Exercise Caution ***

Maureen,

I'd like to offer the below and attached in addition to my initial feedback. Thank you for your consideration.

Updates/corrections:

- 1) I had stated that the applicant is at fault of eligibility requirements for an Affordability Unlocked Type 2 project under §25-1-722-C-1 and §25-1-722-C-4. I now understand that sub-section C is written as an either/or requirement, and the proposed project is likely eligible via §25-1-722-C-2
- 2) I understand that the applicant and the Planning Commission are now considering a revised proposed zoning change to MF-4-NP.

Additional statements:

- 1) Because the Affordability Unlocked ordinance includes exceptions to density requirements and because of the applicant's proposed building design, the revised proposed zoning does not represent any change to the proposed project in massing or density. A zoning change to MF-4 should be considered as equally intensive as MF-6 for the purpose of this project.
- 2) I will restate my position that with the intensity of a multi-family up-zoning, and the aggressive density bonuses of the Affordability Unlocked ordinance, a reasonable project should not require the use of both tools to achieve its goals.
- 3) I'd like to offer some further details about the context of this site:

At 100 residents on a .736 acre property, this project represents a density of 135 units per acre. This is directly adjacent to single-family properties with an average density of about 6 units per acre. The immediate neighborhood (38th Street to Red River Street to 40th Street to IH-35) represents only about 100 families. The adjacent commercial uses include an empty parking lot, a branch bank, a daycare, a gas station, and a pediatric medical office building. This residential and commercial context does not represent enough density, mix of uses, or diurnal occupants to exercise passive "eyes on the street" community safety. The applicant has stated that their supportive housing programming includes security management, but this is not enough to protect and support the residents and neighbors

alike. We know how Austin feels about over-policing based on recent public votes. I want a community that is safe because it is friendly and understanding and watchful of each other. Imagine the success of a project like this and the recovery of its residents if it was in the context of a mixed-use, mid-intensity TOD or PUD.

The applicant has stated that its residents include people who have physical disabilities. At the same time, the TDHCA application process and the Imagine Austin vision of a “compact and connected” community value this site’s proximity to the transit center at Hancock Center and surrounding public transit options. Did you know that there is not an accessible public route from this site to any transit stop in the neighborhood? 39th Street to the east of the site is a 50ft ROW local street with two-way traffic, uncontrolled parking on both sides, frequent curb cuts, and no sidewalks, and no current or improvement classification on ASMP. If you tried to walk along 39th St to the west and turn north on the IH35 Frontage Road, you would find the sidewalk ends after the Bank of America in a crumbling asphaltic mess. How does this project with these residents make sense in a location where there is limited and unsafe mobility infrastructure? And frankly not much hope for improvement based on the long-neglected and still unresolved conditions throughout our city’s neighborhoods.

This proposal would be significantly more sensible if it was even just two blocks north and within or adjacent to the Hancock Center. This location could accommodate for a more gentle escalation of density within the neighborhood given the multiple MF uses along 41st Street and a higher concentration of population for passive safety. It would also provide direct and safe access to transit, a grocery store, and community services, as well as vast potential for more with the redevelopment potential of the old Sears.


I understand it’s not realistic to expect the applicant to be able to just move their proposal to another site, but that is exactly why we develop planning and zoning tools. So we can, collectively as a city and a community, imagine what we want the future of our built environment to look like, commit it to policy, and be prepared to react appropriately to opportunities and proposals. As a city, we are in a bad position right now with regards to homelessness and affordability and we need solutions. We need smart, forward-thinking, long-range planning to solve this problem. The plan amendment and zoning change impacts for this project on this site are under-considered and deserve further planning attention before a decision is rendered, including immediate mobility improvement needs and what a future mix of uses would look like and how that would support a healthy and diverse community.

Sincerely,

VICTORIA CARPENTER, AIA, RID

M: (804) 836-4047

Victoria Carpenter, AIA, RID
3909 Becker Ave.
Austin, TX 78751
(804) 836-4047



May 17, 2022

Maureen Meredith
Senior Planner/Case Manager
City of Austin Planning and Zoning
(512) 974-2695
Maureen.meredith@austintexas.gov

RE: Plan Amendment Case #: NPA-2022-0019.01.SH
Zoning Case #: C14-2022-0019.SH
Property addresses: 1004-1006 E. 39th Street (0.736 acres)

Maureen,

Thank you for collecting feedback from interested parties related to the proposed planning amendment. Please accept the below feedback as an amendment to my previous letter dated April 8, 2022.

Updates/corrections:

- 1) I had stated that the applicant is at fault of eligibility requirements for an Affordability Unlocked Type 2 project under §25-1-722-C-1 and §25-1-722-C-4. I now understand that sub-section C is written as an either/or requirement, and the proposed project is likely eligible via §25-1-722-C-2
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May 22, 2022

CANPAC Statement regarding C14-2022-0019.SH and NPA- 2022-0019.01.SH, Cady Lofts

We, CANPAC, support affordable housing on this site, and we appreciate the presentation of Option II that does not need a zoning or FLUM change. We are, also, in support of increased density on the LO zoned lots.

Since at this point, the applicant has not acquired the property or had their tax credit application approved, permanent change to the zoning and the Neighborhood Plan (CACNP) seems premature.

At this time, we ask that the Neighborhood Plan Amendment and the zoning change be postponed, so that they can be reconsidered once the applicant has acquired the property and had their project approved.

smart, forward-thinking, long-range planning to solve this problem. The plan amendment and zoning change impacts for this project on this site are under-considered and deserve further planning attention before a decision is rendered, including immediate mobility improvement needs and what a future mix of uses would look like and how that would support a healthy and diverse community.

Sincerely,

A handwritten signature in black ink, appearing to read 'Victoria Carpenter', with a long horizontal flourish extending to the right.

Victoria Carpenter, AIA, RID