

SECOND/THIRD READINGS SUMMARY SHEET

CASE: C14-2024-0095 – Eleven03

DISTRICT: 9

ADDRESS: 1103 West 24th Street

APPLICANT: OGH West Campus Partners LP

AGENT: Dunaway Associates LLC (June Routh)

CASE MANAGER: Cynthia Hadri (512-974-7620, cynthia.hadri@austintexas.gov)

REQUEST:

Approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 1103 West 24th Street (Shoal Creek Watershed). Applicant's Request: To rezone from community commercial - mixed use - vertical mixed use - neighborhood plan (GR-MU-V-NP) combining district zoning to community commercial - mixed use - vertical mixed use - density bonus 90 - neighborhood plan (GR-MU-V-DB90-NP) combining district zoning.

PREVIOUS CITY COUNCIL ACTION:

December 12, 2024: *APPROVED COUNCIL MEMBER QADRI'S REQUEST FOR A POSTPONEMENT TO JANUARY 30, 2025.*

[Z. QADRI; N. HARPER-MADISON - 2nd]; (11-0)

November 21, 2024: *APPROVED COUNCIL MEMBER QADRI'S REQUEST FOR A POSTPONEMENT TO DECEMBER 12, 2024.*

[J. VELA; R. ALTER - 2nd]; (11-0)

November 7, 2024: *APPROVED THE APPLICANT'S REQUEST FOR GR-MU-V-DB90-NP ON FIRST READING ONLY.*

[J. VELA; Z. QADRI - 2ND] (9-0) MAYOR PRO TEM POOL – ABSENT; M. KELLY - ABSTAINED

October 10, 2024: *APPROVED THE NEIGHBORHOOD'S REQUEST FOR A POSTPONEMENT TO NOVEMBER 7, 2024.*

[Z. QADRI; J. VELA - 2nd]; (9-0), A. ALTER - OFF DAIS, N. HARPER-MADISON – ABSENT.

September 26, 2024: *APPROVED THE COUNCIL'S REQUEST FOR A POSTPONEMENT TO OCTOBER 10, 2024.*

[Z. QADRI; MAYOR PRO TEM - 2nd]; (10-0), A. ALTER - OFF DAIS

ISSUES:

In December 2023, Ordinance No. 20220609-080, Ordinance No. 20221201-056 and Ordinance No. 20221201-055 were invalidated. On March 11, 2024, Ordinance No. 20240229-073, was enacted to create the “DB90” combining district, which amended City Code Title 25 (Land Development) to create a new zoning district for a density bonus program that grants 30 feet in height above the base zoning district, to a maximum of 90 feet, and modifies site development regulations including compatibility standards. Subsequently, the applicant submitted this new rezoning application to request the -DB90 combining district.

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0095 – Eleven03

DISTRICT: 9

ZONING FROM: GR-MU-V-NP

ZONING TO: GR-MU-V-DB90-NP

ADDRESS: 1103 West 24th Street

SITE AREA: 0.69 acres (30, 056 sq. ft.)

PROPERTY OWNER: OGH West Campus Partners LP

AGENT: Dunaway Associates LLC (June Routh)

CASE MANAGER: Cynthia Hadri 512-974-7620, Cynthia.hadri@austintexas.gov

STAFF RECOMMENDATION:

The staff recommendation is to grant community commercial - mixed use - vertical mixed use - density bonus 90 - neighborhood plan (GR-MU-V-DB90-NP) combining district zoning.

Staff recommends granting the applicant's modification request to not provide pedestrian-oriented commercial space (to provide 0% of the requirement).

PLANNING COMMISSION ACTION / RECOMMENDATION:

August 27, 2024: APPROVED THE APPLICANT'S REQUEST FOR GR-MU-V-DB90-NP.
[A. AZHAR; N. BARRERA-RAMIREZ- 2ND] (10-0) A. PHILLIPS, A. WOODS, P. HOWARD - ABSENT

CITY COUNCIL ACTION:

January 30, 2025:

December 12, 2024: *APPROVED COUNCIL MEMBER QADRI'S REQUEST FOR A POSTPONEMENT TO JANUARY 30, 2025.*
[Z. QADRI; N. HARPER-MADISON - 2ND]; (11-0)

November 21, 2024: *APPROVED COUNCIL MEMBER QADRI'S REQUEST FOR A POSTPONEMENT TO DECEMBER 12, 2024.*
[J. VELA; R. ALTER - 2ND]; (11-0)

November 7, 2024: *APPROVED THE APPLICANT'S REQUEST FOR GR-MU-V-DB90-NP ON FIRST READING ONLY.*
[J. VELA; Z. QADRI - 2ND] (9-0) MAYOR PRO TEM POOL – ABSENT; M. KELLY - ABSTAINED

October 10, 2024: *APPROVED THE NEIGHBORHOOD'S REQUEST FOR A POSTPONEMENT TO NOVEMBER 7, 2024.*

[Z. QADRI; J. VELA - 2nd]; (9-0), A. ALTER - OFF DAIS, N. HARPER-MADISON – ABSENT.

September 26, 2024: *APPROVED THE COUNCIL'S REQUEST FOR A POSTPONEMENT TO OCTOBER 10, 2024.*

[Z. QADRI; MAYOR PRO TEM - 2nd]; (10-0), A. ALTER - OFF DAIS

ORDINANCE NUMBER:

ISSUES:

In December 2023, Ordinance No. 20220609-080, Ordinance No. 20221201-056 and Ordinance No. 20221201-055 were invalidated. On March 11, 2024, Ordinance No. 20240229-073, was enacted to create the “DB90” combining district, which amended City Code Title 25 (Land Development) to create a new zoning district for a density bonus program that grants 30 feet in height above the base zoning district, to a maximum of 90 feet, and modifies site development regulations including compatibility standards. Subsequently, the applicant submitted this new rezoning application to request the -DB90 combining district.

CASE MANAGER COMMENTS:

The property in question is approximately 0.7 acres, developed with a vacant commercial building, has access to West 24th street (level 3) and Leon Street (level 1), and is currently zoned community commercial - mixed use - vertical mixed use - neighborhood plan (GR-MU-V-NP) combining district zoning. The property is within Downtown Regional Center and 0.17 miles to Lamar Boulevard activity corridor. There is a bus stop at the intersection of West 24th Street and North Lamar Boulevard, it is also within 0.5 miles from the University of Austin. Staff agrees with the applicant's rezoning request, the site is an ideal location to add housing. ***Please refer to Exhibits A (Zoning Map) and B (Aerial View).***

The applicant is requesting community commercial - mixed use - vertical mixed use - density bonus 90 - neighborhood plan (GR-MU-V-DB90-NP) combining district for a proposed development that would include multi-family units requiring an affordable component. A building constructed under density bonus 90 (DB90) standards allows for a mix of residential uses and commercial uses, and the result is typically retail, restaurants and offices on the ground floor, and residential units on upper levels. The overall project would consist of approximately 80 residential units and will be seeking a complete (100%) modification for the ground floor commercial space requirement. ***Please refer to Exhibit C (Applicant's Summary Letter).***

A development utilizing the “density bonus 90” incentives is permitted with a base GR district and must include an affordability component for residential use in order to obtain

incentives, including height maximum of 90 feet in the GR district (60 feet base plus 30 feet incentive) and relaxation of development and compatibility standards, such as FAR, setbacks and building coverage. There are several methods of satisfying DB90 development affordability requirements.

There are two options for projects including rental units:

- 1) a minimum of 12% of the rental units in a building are affordable for a 40-year period for households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) a minimum of 10% of the rental units are affordable for a 40-year period as described above for households earning 50% or less MFI.

There are two options of satisfying DB90 development affordability requirements which include ownership units:

- 1) a minimum of 12% of the rental units in a building are affordable for a 40-year period for households earning 80% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
- 2) an in-lieu-fee payment to the Housing Trust Fund, equivalent to the required percentage of the total residential units, including the mix of bedrooms required, at the rate set in the fee schedule at the time of final site plan submission.

BASIS OF RECOMMENDATION:

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

City Council has provided policy and direction for having more residential density and increased affordability, as well as incentivizing vertical mixed use buildings throughout the City. This request is consistent with the “VMU2” option and Ordinance No. 20240229-073, which replaced the invalidated “VMU2” option.

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

The community commercial district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

The mixed use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

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

The density bonus 90 – combining district, in exchange for providing affordable housing units and in combination with commercial base zoning districts, allows a mixture of office, retail, commercial, and residential uses with modifications of compatibility standards and site development regulations including increased building height.

The neighborhood plan district denotes a tract located within the boundaries of an adopted neighborhood plan.

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

This rezoning authorizes a property to participate in a voluntary density bonus or incentive program that provides modifications to development regulations or other regulatory-related benefits in exchange for community benefits. In exchange for increased development potential, the development is required to comply with affordable housing requirements.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-MU-V-NP	Vacant Commercial Building
<i>North</i>	MF-4-CO-NP and GO-MU-NP	Multifamily Residential
<i>South</i>	MF-3-CO-NP SF-3-CO-NP	Multifamily Residential Single Family Residential
<i>East</i>	MF-6-CO-ETOD-DBETOD-NP MF-4-CO-ETOD-DBETOD-NP	Multifamily Residential
<i>West</i>	GO-CO-NP MF-3-CO-NP	Medical Offices Multifamily Residential

NEIGHBORHOOD PLANNING AREA: Central Austin (West University)

WATERSHED: Shoal Creek (Urban)

CAPITOL VIEW CORRIDOR: No

SCENIC ROADWAY: No

SCHOOLS: Austin Independent School District

Bryker Woods Elementary School O Henry Middle School Austin High School

COMMUNITY REGISTRY LIST:

Austin Independent School District
 Austin Lost and Found Pets
 Austin Neighborhoods Council
 CANPAC (Central Austin Neigh Plan Area Committee)
 Caswell Heights Neighborhood Association

Central Austin Community Development Corporation
 Friends of Austin Neighborhoods
 Homeless Neighborhood Association
 Neighborhood Empowerment Foundation
 The Original West University Neigh Assoc.

Preservation Austin
 SELTexas
 Shoal Creek Conservancy
 Sierra Club

Austin Regional Group
 University Area Partners
 West Campus Neighborhood Association

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0135 - 2408 Leon Rezoning	MF-4-CO-NP to MF-4-NP	The applicant withdrew the case.	The applicant withdrew the case.
C14-2018-0112 - 2408 Leon	MF-4-CO-NP to GO-MU-NP	To Grant GO-MU-CO-NP Commission added CO to limit commercial and office uses to 25% of the building square footage. Removed existing CO limiting height to 50 feet. (03/12/2019)	Approved GO-MU-NP (03/28/2019)
C14-2017-0058 - TAP 24	CS-NP to CS-1-NP	To Grant CS-1-NP (07/25/2017)	Approved CS-1-NP as Planning Commission Recommended (08/17/2017)
C14-2011-0098 - San Gabriel Liquor	LR-NP to CS-1-NP	The applicant withdrew the case on December 7, 2011.	The applicant withdrew the case on December 7, 2011.
C14-2016-0117 Neill-Cochran House Museum	SF-3-H-NP to LR-H-CO-NP	To Grant LR-H-CO-NP (12/13/2016)	Approved LR-H-CO-NP as Planning Commission Recommended (02/16/2017)

RELATED CASES:

C14-2020-0026 – 1103 West 24th Street: The applicant requested a rezoning from GO-CO-NP to GR-MU-V-NP which was approved.

NPA-2020-0019.01 - The applicant is proposed to amend a previously approved neighborhood plan, it was approved. This NPA is related the zoning case number C14-2020-0026.

C14-04-0021 – Central Austin Combined Neighborhood Plan (West University)

Comprehensive Planning:

Project Name and Proposed Use: 1103 W 24TH STREET. C14-2024-0095. Project: Eleven03. Central Austin Combined Neighborhood Plan (West University). FLUM: Mixed Use. 0.69 acres from GR-MU-V-NP to GR-MU-V-DB90-NP. Existing: office building (30,000 sq. ft.) and parking. Proposed: 80 units of multi-family residential, 6 floors above grade, leasing space at the ground-level, and below-grade parking. Demolition is proposed, with zero residential units to be demolished. Proposal seeks Density Bonus 90 Combining

District (Ordinance No. 20240229-073), which sets affordability minimums on ownership and rental units, and further allows for an increase of up to 30 ft in height above the base zone allowance, with a maximum limit of 90 feet in total height. DB90 additionally releases the site from some base zoning district development standards, including maximum floor area ratio.

Yes	Imagine Austin Decision Guidelines
Complete Community Measures *	
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *: <ul style="list-style-type: none"> • Within Downtown Regional Center; 0.17 miles to Lamar Boulevard Activity Corridor
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • 0.2 miles to bus stop at intersection of W 24th St and N Lamar Blvd
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk present along W 24th St and Leon St
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Goods and Services present along W 24th St, Rio Grande St and Guadalupe St
	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market.
Y	Connectivity and Education *: Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> • 0.5 miles to the University of Texas at Austin
Y	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> • 0.2 miles to Shoal Creek Trail
	Connectivity and Health *: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor’s office, drugstore clinic, and/or specialized outpatient care.)
Y	Housing Choice *: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
Y	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
Y	Mixed use *: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.

	Industrial Land: Preserves or enhances industrial land.
Y	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
10	Number of “Yes’s”

Drainage:

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City’s Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental:

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Shoal Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

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

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Fire: There are no comments.

PARD – Planning & Design Review:

Parkland dedication will be required for the new applicable uses proposed by this development, multifamily with GR-MU-V-DB90 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 § 25-1-609, as amended.

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:

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

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.

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

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

This site is subject to compatibility requirements for height. On and after July 15th, 2024, this site will need to comply with compatibility requirements based on ordinance # 20240516-004.

DB90 Rezoning

This site must meet affordability minimums to be eligible for DB90. A signed approval letter from the Housing Department will be required with site plan submittal.

W 24th St is the Principal Street for this site. Any buildings fronting this street will be required to have 75% of the ground floor as commercial uses.

FYI, this site is within the West University Neighborhood Planning Area.

Austin Transportation Department – Engineering Review:

Assessment of required transportation mitigation, including the potential dedication of right of way and easements and participation in roadway and other multi-modal improvements, will occur at the time of site plan application. The traffic impact analysis for this site is not required, the traffic generated by the proposal does not exceed the thresholds established in the City of Austin Land Development Code. [LDC 25-6-113].

The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for W 24TH ST. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for W 24TH ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

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

Existing Street Characteristics:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
W 24TH ST	Corridor Mobility - Level 3	80 feet	60 feet	34 feet	Existing 5 feet sidewalks	Shared lane (on-street)	Yes
LEON ST	Local Mobility - Level 1	58 feet	61 feet	27 feet	Existing 5 feet sidewalks	No	Yes

Austin Water Utility:

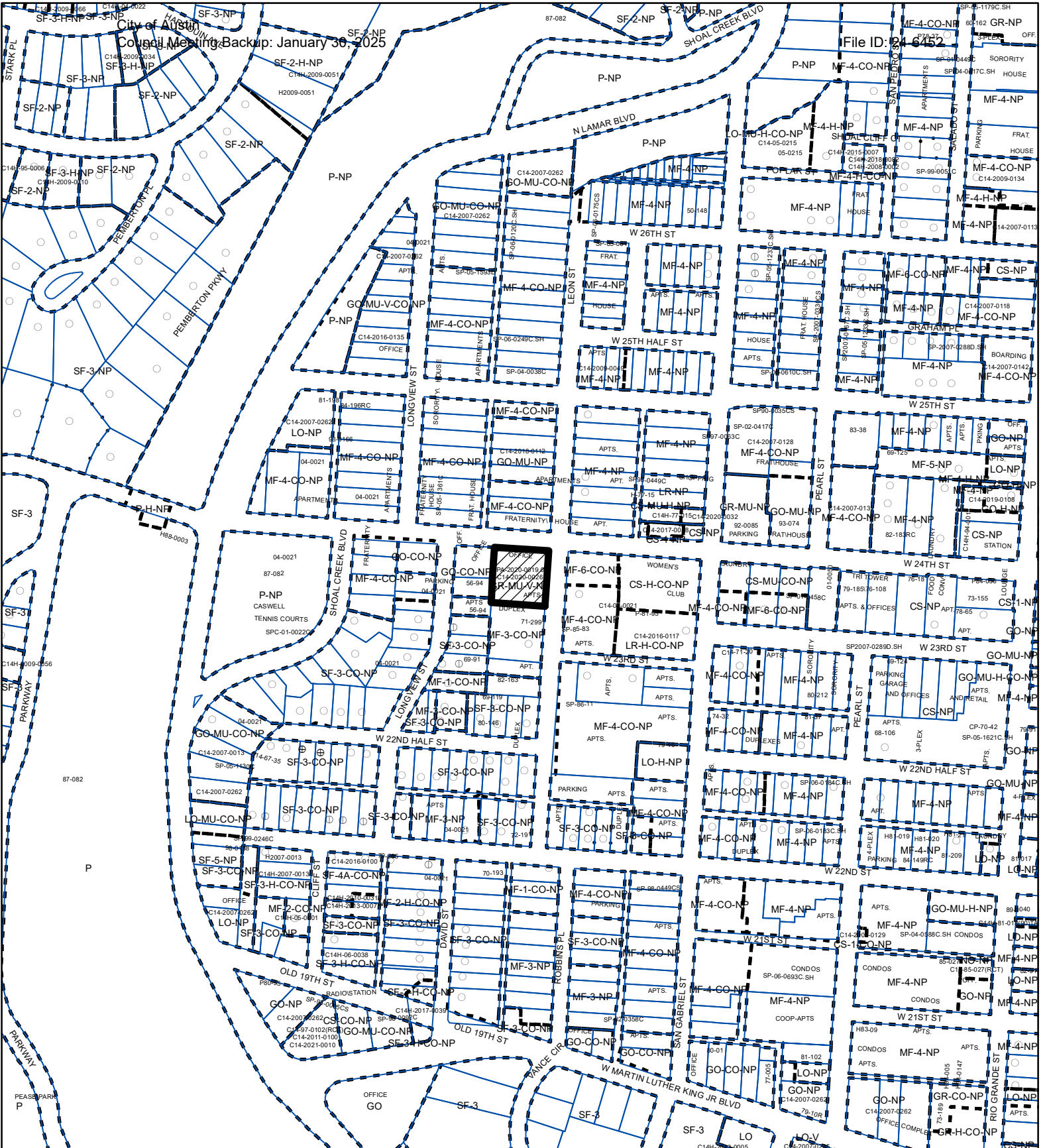
No comments on zoning change.

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

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.

INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant’s Summary Letter
- Correspondence from Interested Parties



City of Austin
 Council Meeting Backup: January 30, 2025

File ID: 24 6452

ZONING

ZONING CASE#: C14-2024-0095




-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

Exhibit A
 1" = 400'

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





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





1 inch equals 400'

Eleven03

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

ZONING CASE#: C14-2024-0095
 LOCATION: 1103 W 24th St.
 SUBJECT AREA: 0.69 Acres
 MANAGER: Cynthia Hadri



Development Services Department
City of Austin
505 Barton Springs Road, 4th Floor
Austin, Texas 78704

Revised July 25, 2024

Re: Eleven03 MF Housing – 1103 W 24th Street
Zoning Application for 0.69 acre property

Dear Case Manager:

As representatives of the owner of the property, we respectfully submit the enclosed zoning application package. The property is located at 1103 W 24th Street at the southwest corner of the intersection of West 24th Street and Leon Street in Austin, Texas. The 0.69 acre site is part of Outlot 41, Division D of the Government Outlots adjacent to the Original City of Austin, Travis County, Texas according to the Plat Record on file with the General Land Office of the State of Texas. Land status determination C8I-2023-0147 has confirmed this site is exempt from platting. The site is within the full purpose jurisdiction of the City of Austin.

Existing site improvements consist of an existing approximately 30,000 sf 3 story office building with associated parking. The site has approximately 90.4% existing impervious cover. The existing building and parking will be demolished.

The proposed site development will consist of an 80 unit multi-family housing development to be located on six (6) floors above grade with leasing space on the ground floor. Vehicle parking consisting of 105 parking spaces will be provided in two (2) below grade levels of structured parking garage.

The property is currently zoned GR-MU-V-NP and is located within the West University Neighborhood, a subdistrict of the Central Austin Combined Neighborhood Plan. The proposed zoning is GR-MU-V-DB90-NP. A waiver for 100% modification of Subsection 3b requirements is requested with this zoning application.

Sincerely,
Dunaway Associates

June Routh, P.E.

July 25, 2024

Cynthia Hadri
City of Austin - Development Services Dept.
6310 Wilhelmina Delco Dr.
Austin, Texas 78752

Re: Eleven03 – Zoning Change to DB90
Waiver for Modification to Subsection 3b of DB90 Ordinance
Requirement for Ground Floor Commercial Use

Dear Ms. Hadri,

On behalf of the Owners of the above referenced site we would respectfully request a wavier to Subsection 3b of the DB90 ordinance requiring ground floor commercial use.

A waiver for 100% is requested.

The reasons for this waiver request are shown below:

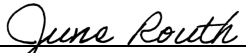
- The grade difference of the principal street is 7'-11' below the FFE of the proposed building.
 - Adjusting the building FFE to allow for accessible route to commercial space along the principal street would reduce the total net rentable area of the building, and the amount parking would also be reduced—unless the garage was adjusted to go an additional level below grade.
 - Regardless of the building FFE, the sidewalk along the principal street would need further adjustments in order to provide accessible route to the commercial spaces and maintain accessible routes to the adjacent ROW. This would include ramps, steps, handrails, and (possibly) guardrails between the ROW sidewalk and the sidewalk adjacent to the commercial space, creating division between the public/private circulation which makes the commercial space less desirable and reduces the amount of usable space along the principal street.
- The ATD Department has restricted vehicular access to a single garage driveway in the southeast corner.
- The proposed parking for this site is subterranean parking and would make the use of the parking for commercial use on W 24th Street impractical for a sustainable business use.
- The footprint of the first floor is small, and has common area spaces dedicated to the residential use which are critical for the success of the development due to the necessary security and access control of the residents. These common area spaces cannot be counted towards the commercial requirement.

Exhibit D

In conclusion, successful commercial use on the ground floor would be difficult to achieve due to the above constraints. Therefore, a waiver to this requirement is respectfully requested.

Respectfully submitted,

DUNAWAY ASSOCIATES, L.L.C.,
a Texas limited liability company



June Routh, PE
Sr Technical Engineer

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 participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

Staff is conducting a pilot program to receive case-related comments online which can be accessed through this link or QR code:
<https://bit.ly/ATXZoningComment>



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.

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: C14-2024-0095
Contact: Cynthia Hadri, 512-974-7620
Public Hearing: September 26, 2024, City Council

T. Damron, President
Caswell Heights N. Assn.
Your Name (please print)

I am in favor
 I object

(1114 W. 22 1/2) + Association
Your address(es) affected by this application (optional) neighborhood

T. Damron 9-17-24
Signature Date

Daytime Telephone (Optional) _____ Case Number: C14-2024-0095
Subject: 1103 W. 24th Street, Austin, TX 78705

Comments: _____

Caswell Heights Neighborhood Association OBJECTS to the rezoning of this property because it is in direct conflict with the recent Resolution passed by City Council to amend UNO (Resolution No. 20240418-77).

UNO borders our neighborhood, and this property within our boundaries has requested rezoning that counters the City Council's Resolution without the affordability standards and streetscaping required within UNO.

Our association is working with UAP (University Area Partners) for a successful implementation of the City Council's Resolution, and we hope to work with the developer to bring this request for rezoning changes into compliance with City Council's Resolution and make it compatible with UNO's standards BEFORE rezoning occurs.

If you use this form to contact the City of Austin, Planning
Cynthia Hadri
P. O. Box 1088, Austin, TX 78767
Or email to:
cynthia.hadri@austintexas.gov

Thank you for your consideration.
Caswell Heights Neighborhood Association