

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0155 – 1501-1603 Shoal Creek Boulevard

DISTRICT: 9

ZONING FROM: GO-ETOD-DBETOD (Tract 1) and LO-ETOD-DBETOD (Tract 2)

ZONING TO: GO-V-ETOD-DBETOD (Tract 1) and LO-MU-V-ETOD-DBETOD (Tract 2), and to modify the Pedestrian-Oriented Commercial Spaces requirement per Section 25-2-654 (G)(4)(f)

ADDRESS: 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard

SITE AREA: 1.418 acres

PROPERTY OWNER: Shoal Creek Development, LLC (Joseph Lee)

AGENT: Drenner Group, PC (Leah M. Bojo)

CASE MANAGER: Nancy Estrada, 512-974-7617, nancy.estrada@austintexas.gov

STAFF RECOMMENDATION:

The Staff recommendation is to grant general office – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (GO-V-ETOD-DBETOD) combining zoning district on Tract 1, and limited office – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (LO-V-ETOD-DBETOD) combining zoning district on Tract 2. Staff recommends granting the modification request to not provide ground floor Pedestrian-Oriented Commercial Space (to provide 0% of the requirement).

PLANNING COMMISSION ACTION / RECOMMENDATION:

April 22, 2025: APPROVED GO-V-ETOD-DBETOD COMBINING DISTRICT ZONING for Tract 1 and LO-MU-V-ETOD-DBETOD COMBINING DISTRICT ZONING for Tract 2, and to grant modification to the Pedestrian-Oriented Commercial Spaces requirement.

[G. ANDERSON; I. AHMED – 2ND] (11-0) N. BARRERA-RAMIREZ – OFF THE DAIS; C. HEMPEL – ABSENT

March 25, 2025: APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO APRIL 22, 2025

[A. AZHAR; F. MAXWELL – 2nd] (11-0)

CITY COUNCIL ACTION:

June 5, 2025:

May 22, 2025: *APPROVED A POSTPONEMENT REQUEST BY THE NEIGHBORHOOD TO JUNE 5, 2025*

VOTE: 11-0. [Council Member Qadri; Council Member R. Alter – 2nd]

ORDINANCE NUMBER:

ISSUES:

The site is adjacent to an area of steep slopes of limestone rock overlaying erodible clay material. A rimrock Critical Environmental Feature has been identified along a portion of these slopes. However, the stability of the slope at this site and the potential impact of the proposed development has not been evaluated by the Watershed Protection Department environmental staff. When development is proposed within the standard 150 ft buffer of the rimrock through a site plan or subdivision application, the Watershed Protection Department typically requires a geotechnical report from the applicant and reviews the site plan for compliance with the recommendations of the geotechnical engineer. The Watershed Protection Department does not require analysis of steep, potentially unstable slopes that do not meet the specific criteria of rimrock/bluff Critical Environmental Features.

Signatures of adjacent property owners have been submitted in response to the above-referenced rezoning case, opposing a rezoning of the property to anything other than SF-3, GO-ETOD-DBETOD for Tract 1, and LO-ETOD-DBETOD for Tract 2. The petition includes 43.73% of eligible signatures and meets the 20% threshold for a valid petition. Petition materials and comment response forms are located at the end of the Staff report. ***Please refer to Attachment D.***

On March 11, 2025, the applicant amended their rezoning application to request GO-V-ETOD-DBETOD for Tract 1 and LO-MU-V-ETOD-DBETOD for Tract 2. The original rezoning application that was submitted by the applicant requested GR-MU-V-ETOD-DBETOD for Tract 1 and LO-MU-ETOD-DBETOD for Tract 2. ***Please refer to Attachment A.***

On March 9, 2023, City Council approved Resolution No. 20230309-016 accepting the Equitable Transit-Oriented Development Policy Plan and directing the City Manager regarding next steps for implementation of items intended to benefit the Project Connect Phase 1 Austin Light Rail project. This included development of code amendments to support transit in May of 2024 (Ordinance No. 20240516-005), including creation of the ETOD combining district (restrictions on non-transit supportive uses) and the DBETOD combining district (allowing residential use, and relaxing some development standards including increased height in exchange for income-restricted housing). Properties within one half-mile of the Phase 1 Austin Light Rail alignment and Priority Extensions were included within this overlay, and certain properties were rezoned through a City-initiated process to include the ETOD and DBETOD combining districts. Further, properties rezoned with

DBETOD combining district were categorized into Subdistrict 1 (maximum allowable height of 120 feet) or Subdistrict 2 (maximum allowable height of 90 feet), generally based on property distance of ¼-mile or ½-mile from the Phase 1 alignment, respectively. However, that rezoning process did not modify any base district zoning or any combining district zoning, which is the subject of this request. The subject of this request is to add (V) combining district to both tracts of this property, as well as (MU) combining district to Tract 2.

CASE MANAGER COMMENTS:

The subject area is approximately 1.418 acres and currently developed with fourteen (14) multifamily dwelling units and two (2) single family dwelling units, located at the northeast corner of Shoal Creek Boulevard and West 15th Street alongside North Lamar Boulevard. ***Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).*** The proposed development consists of one hundred and twenty-four (124) multifamily dwelling units and three (3) single family dwelling units.

The applicant is requesting general office – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (GO-V-ETOD-DBETOD) combining zoning district, referred to as Tract 1, and limited office – mixed use – vertical mixed use building – equitable transit-oriented development – density bonus equitable transit-oriented development (LO-MU-V-ETOD-DBETOD) combining zoning district, referred to as Tract 2, and to remain in Subdistrict 2. This would allow a development to include multifamily units requiring an affordable component in areas that support future transit. While the property is well-positioned to support transit options, Shoal Creek Boulevard, classified as a Level 1 street under the Austin Strategic Mobility Plan, does not provide the level of foot traffic or commercial viability typically necessary to sustain pedestrian-oriented uses. Additionally, the property features a significant 27-foot horizontal grade change along Shoal Creek Boulevard, further limiting the feasibility of creating viable pedestrian-oriented commercial spaces. Therefore, the applicant is seeking a modification to the ground floor commercial requirement.

A development utilizing the density bonus (ETOD) incentives is permitted with the current base (GO) and (LO) zoning districts, provided it includes an affordability component for residential use in order to obtain incentives. This includes a height maximum of up to 70 feet for the (LO) zoning district (40 feet base district plus up to 30 feet height incentive) and up to 90 feet for the (GO) zoning district (60 feet base district plus up to 30 feet height incentive) and relaxation of development and compatibility standards, such as floor to area ratio (FAR), setbacks and building coverage.

There are several methods of satisfying (DBETOD) development affordability requirements, based on whether the proposed units will be offered as rental or for ownership.

For rental units, the options are based on a tiered system tied to achievable maximum height or modified development standards.

- i. To achieve 60 feet in height or to utilize a development standard under DBETOD that is not height-related, a development must provide:
 - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI;
- ii. To achieve 90 feet in height, a development must provide:
 - a minimum of 12% of the residential units as affordable for lease and occupancy by households earning 60% or less than the Austin-Round Rock Metropolitan Statistical Area MFI; or
 - a minimum of 10% of the residential units as affordable for lease and occupancy by households earning 50% or less MFI.

There are two options of satisfying (DBETOD) development affordability requirements which include ownership units:

- 1) a minimum of 12% of the units as affordable for ownership and occupancy by 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 125% of 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 site plan submittal.

Staff is recommending (GO-V-ETOD-DBETOD) combining zoning district for Tract 1 and (LO-V-ETOD-DBETOD) combining zoning district on Tract 2, therefore the proposed development will require an affordability component. Staff also recommends granting the modification request to not provide ground floor Pedestrian-Oriented Commercial Space.

BASIS OF RECOMMENDATION:

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

General Office (GO) district is intended for offices and selected commercial uses predominately serving community and city-wide needs.

Limited Office (LO) district is intended for offices predominately serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

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.

Equitable Transit-Oriented Development (ETOD) combining district promotes transit-supportive uses, increases bicycle, pedestrian, transit connectivity, and housing options, near public transit, and prohibits certain commercial, industrial, and agricultural uses.

Density Bonus Equitable Transit-Oriented Development (DBETOD) combining district allows for residential uses, modifies compatibility standards and site development regulations, and grants additional building height in exchange for income-restricted housing.

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

The proposed rezoning would enable participation in a voluntary density bonus or incentive program, offering modifications to development regulations or other regulatory benefits in exchange for the provision of community benefits. In return for increased development potential, the project must meet the affordable housing requirements as per the (DBETOD) combining district regulations. This request remains consistent with the City's objectives to promote density and affordability near future transit corridors by allowing more flexible development standards.

3. *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 and equitable transit-oriented development, as well as incentivizing vertical mixed use buildings throughout the City.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GO-ETOD-DBETOD; LO-ETOD-DBETOD	Multifamily; Single-family residences
<i>North</i>	GO-ETOD-DBETOD; LO	Neighborhood office
<i>South</i>	LO-ETOD-DBETOD; SF-3	Undeveloped; West 15 th Street; Recreation Center/Sports field
<i>East</i>	SF-3; SF-3-H	Single-family residences
<i>West</i>	SF-3; P; MF-3	Shoal Creek Boulevard; North Lamar Boulevard; Public park

NEIGHBORHOOD PLANNING AREA: Downtown Austin Plan (Judges Hill District)

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
Central Austin Community Development Corporation
City of Austin Downtown Commission
Downtown Austin Neighborhood Assn. (DANA)
Friends of Austin Neighborhoods
Historic Austin Neighborhood Association

Homeless Neighborhood Association
Judges Hill Neighborhood Association
Neighborhood Empowerment Foundation
Preservation Austin
SELTexas
Save Our Springs Alliance
Shoal Creek Conservancy
Sierra Club
Austin Regional Group

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2023-0138 – Enfield	SF-3-NP to MF-3-NP	To Grant MF-3-NP (2/27/24)	Approved MF-3-NP as Planning Commission Recommended (4/18/24)
C14-2018-0072 – 1700 West Avenue	SF-3 to LO-MU-CO	To Grant LO-MU-CO (9/11/18)	Approved LO-MU-CO as Planning Commission Recommended (10/4/18)
C14-2018-0120 – Herbin-Shoe Historic Mixed Use Rezoning	SF-3-H to GO-MU-H-CO	To Grant GO-MU-H-CO (2/26/19)	Approved GO-MU-H-CO as Planning Commission Recommended (3/28/19)

RELATED CASES:

The equitable transit-oriented development (ETOD) combining district and density bonus ETOD (DBETOD) combining district were added to the base districts on July 15, 2024 (C20-2023-004).

C14-2015-0119 – Previous rezoning case proposing 1.6 acre subject property from SF-3, LO, GO to GO-MU; application amended request to GO-MU-V zoning on 7/18/2016. Application was withdrawn on 1/3/2017.

ADDITIONAL STAFF COMMENTS:

Comprehensive Planning:

Project Name and Proposed Use: 1507 SHOAL CREEK BOULEVARD. C14-2024-0155. Project: 1501-1603 Shoal Creek Boulevard. 1.418 acres from GO-ETOD-DBETOD, LO-ETOD-DBETOD to

GO-V-ETOD-DBETOD, LO-MU-V-ETOD-DBETOD. Existing: 14 multifamily units, and single-family units. Proposed: 124 multifamily units (5 stories), and 3 single-family dwelling units. Demolition to be determined. Note that the ETOD Overlay (Ordinance 20240516-005) may apply to this proposal. The ETOD Overlay Combining District (ETOD) restricts non-transit supportive uses, and the ETOD Density Bonus District (DBETOD) establishes a density bonus program. DBETOD may trigger certain residential and non-residential redevelopment requirements including but not limited to a tiered approach for maximum building height increases and affordability requirements. Site development standards including maximum FAR have the potential to be waived and Compatibility standards may be modified under DBETOD. Also note that this case provides insufficient information to indicate the attainment of certain Complete Community Measures at this time regarding the ETOD Overlay.

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; Adjacent 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"> 0.24 miles to bus stop along 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 at lower edge of property extending to N Lamar Blvd and W 15th 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 15th 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"> 0.36 miles to ACC Rio Grande Campus
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"> 0.25 miles to Austin Recreation Center
Y	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.) <ul style="list-style-type: none"> 0.44 miles to Medical Clinic along Rio Grande St
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.
	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	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
9	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 a floodplain within or adjacent to the project location. Based upon the location of the floodplain, offsite drainage should be calculated to determine whether a Critical Water Quality Zone exists within 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.

PARD – Planning & Design Review:

Parkland dedication will be required at the time of subdivision or site plan application for new residential units, per City Code § 25-1-601, as amended. 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.

Note that residential units that are certified affordable and income-restricted are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4).

If the applicant wishes to discuss parkland dedication requirements in advance of site plan or subdivision applications, please contact this reviewer: ann.desanctis@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 new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Compatibility Standards

The site is subject to compatibility standards due to the proximity/adjacency of SF-3 zoning on the North, East and South side of the triggering property.

Reference 25-2-1051, 25-2-1053

Any structure that is located:

- a. At least 50 feet but less than 75 feet from any part of a triggering property may not exceed 60 feet.
- b. Less than 50 feet from any part of a triggering property may not exceed 40 feet.

Reference 25-2-1061

An on-site amenity, including a swimming pool, tennis court, ball court, or playground, may not be constructed 25 feet or less from the triggering property.

Reference 25-2-1062

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

ETOD

A certification letter from the Housing Department is required before filing for a site development permit.

DBETOD

Subchapter E applies to this site to the extent of conflict

Shoal Creek is your Principal Street. 75% of the building frontage will be required to be commercial.

Development Standards:

No more than two floors may include non-residential uses.

Cocktail lounges and performance venues can only be located on the first or second story.

No residential uses may be located below a cocktail lounge or performance venue.

Subdistrict 1 building height is limited to a maximum of 60' over base zoning, up to 120'.

Subdistrict 2 building height is limited to a maximum of 30' over base zoning, up to 90'.

This site is adjacent to a site that contains one to three dwelling units and is zoned SF-5 or more restrictive. A compatibility buffer 25' in width, designed to 25-8-700 and 25-2-653(H) will be required. Any structure that is located less than 50 feet from any part of a triggering property may not exceed 60 feet.

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].

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

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Shoal Creek Boulevard	Level 1 – Local Mobility	58 feet	70 feet	28 feet	No	No	Yes

A Neighborhood Traffic Analysis (NTA) was required.

Please refer to Attachment C.

Austin Water Utility:

No comments on zoning change.

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:

Exhibit A: Zoning Map
Exhibit A-1: Aerial Map

Attachment A: Applicant's Amendment Request Letter
Attachment B: Applicant's Summary Letter





Attachment C: Zoning Transportation Analysis (ZTA)
Attachment D: Valid Petition information

Correspondence


$$1'' = 400'$$



1501-1603 Shoal Creek Boulevard

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

ZONING CASE#: C14-2024-0155
LOCATION: 1501-1603 Shoal Creek Blvd.
SUBJECT AREA: 1.418 Acres
MANAGER: Cynthia Hadri

EXHIBIT A-1



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

Created: 11/12/2024

ATTACHMENT A

DRENNER
GROUP

March 11, 2025

Lauren Middleton-Pratt
Planning Department
City of Austin
6310 Wilhelmina Delco Drive
Austin, TX 78752

Via Electronic Delivery

Re: 1501-1603 Shoal Creek Boulevard – Zoning application for the 1.418-acre property located at 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard, Austin, Travis County, Texas 78701 (the “Property”).


Dear Ms. Middleton-Pratt,

As representatives of the owner of the Property, we respectfully submit this letter to amend the application currently under review, assigned zoning case no. C14-2024-0155 for the project titled 1501-1603 Shoal Creek Boulevard, initially submitted on October 11, 2024.

The requested zoning is from GO-ETOD-DBETOD and LO-ETOD-DBETOD to GR-MU-V- ETOD-DBETOD (Community Commercial – Mixed Use – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 1”, and LO-MU-ETOD-DBETOD (Limited Office – Mixed Use – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 2”. With this amendment, we would like to amend the requested rezoning from GO-ETOD-DBETOD to GO-V-ETOD-DBETOD (General Office – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development) on Tract 1 and from and LO-ETOD-DBETOD to LO-MU-V-ETOD-DBETOD (Limited Office – Mixed Use – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development) on Tract 2.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this matter.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)
Nancy Estrada, Planning Department (*via electronic delivery*)
Cynthia Hadri, Planning Department (*via electronic delivery*)



ATTACHMENT B

January 14, 2025

Ms. Lauren Middleton-Pratt
Planning Department
City of Austin
6310 Wilhelmina Delco Drive Austin,
TX 78752

Re: 1501-1603 Shoal Creek Boulevard – Rezoning application for the 1.418-acre property located at 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard, Austin, Travis County, Texas 78701 (the “Property”).

Dear Ms. Middleton-Pratt:

As representatives of the owners of the Property, we respectfully submit the enclosed rezoning application package. The submittal is titled 1501-1603 Shoal Creek Boulevard and is approximately 1.418 acres of land, located at the northeast corner of N Lamar Boulevard and the Eastbound 15th Street to Northbound Lamar Ramp. The Property is located within the full purpose jurisdiction of the City of Austin.

The Property is currently zoned GO-ETOD-DBETOD (General Office – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development) and LO-ETOD-DBETOD (Limited Office – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development). The requested zoning is from GO-ETOD-DBETOD and LO-ETOD-DBETOD to GR-MU-V- ETOD-DBETOD (Community Commercial – Mixed Use – Vertical Mixed Use Building – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 1”, and LO-MU-ETOD-DBETOD (Limited Office – Mixed Use – Equitable Transit-Oriented Development – Density Bonus Equitable Transit-Oriented Development), referred to as “Tract 2”.

The purpose of this rezoning is to allow for the redevelopment of the Property into a transit-supportive residential use within the Imagine Austin Downtown Regional Center. The Imagine Austin Comprehensive Plan states on pages 104 and 105 that, “Regional Centers are intended to provide increased density of people and jobs through the development of low to high-rise apartments and mixed-use buildings.” This request is supportive of the City of Austin’s Strategic Housing Blueprint goal of locating 75% of new housing units within one-half mile of Imagine Austin’s Centers & Corridors. We respectfully request to modify the requirement to provide pedestrian-oriented uses along 75% of the building’s principal frontage on Shoal Creek Boulevard to 0%, as permitted by the City’s Land Development Code Section 25-2-654 (G)(4)(f). This request is based on the unique characteristics of the Property and its surrounding context. While the property is well-positioned to support transit options, Shoal Creek Boulevard, classified as a Level 1 street under the Austin Strategic Mobility Plan, does not provide the level of foot traffic or commercial viability typically necessary to sustain pedestrian-oriented uses. Additionally, the property features a significant 27-foot horizontal grade change along Shoal Creek Boulevard, further limiting the feasibility of creating viable

pedestrian-oriented commercial spaces. This modification will allow for a more context-sensitive development approach that aligns with the street's functional and topographical characteristics.

The Property is located in the Judges Hill District of the Downtown Austin Plan, which is also identified as a Regional Center within the Imagine Austin Plan. The Downtown Austin Plan does not have a Future Land Use Map ("FLUM"); therefore, a Neighborhood Plan Amendment is not required. The Property is located in a portion of Downtown Austin that is ineligible for participation in the Downtown Density Bonus Program.

A neighborhood traffic analysis (NTA) is required with this rezoning request, per the attached TIA Determination waiver dated July 31, 2024 and executed by Mustafa Wali.

Please let me know if you or your team members require additional information or have any questions. Thank you for your time and attention to this development.

Sincerely,



Leah M. Bojo

cc: Joi Harden, Planning Department (*via electronic delivery*)
Cynthia Hadri, Planning Department (*via electronic delivery*)



The proposed development consists of 124 multifamily housing units and 3 single family dwelling units. The site is a 1.418-acre tract on Shoal Creek Boulevard, east of N Lamar Boulevard, as shown in Figure 1 below. This site proposes access to Shoal Creek Boulevard, which is a Level 1 street. The Transportation Development Services (TDS) division has conducted an NTA and offers the following comments.



Shoal Creek Boulevard: The ASMP designates Shoal Creek Blvd as a Level 1 road. The pavement width of Shoal Creek Blvd along the site frontage is approximately 30 feet. There are two unstriped travel lanes and on street parking with curb and gutter along the site frontage of Shoal Creek Blvd. There is no continuous sidewalk in the vicinity of the site on Shoal Creek Blvd. It functions as a 30-mph street. According to the ASMP, the required right-of-way of Shoal Creek Blvd in the vicinity of the site is 58/64 feet.

Trip Generation and Traffic Analysis

Based on the Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, the proposed development will generate 392 adjusted vehicle trips per day. See Table 1 for a detailed breakdown of the trip generation.

Table 1. Trip Generation

Land Use	ITE Code	Units	Trip Generation
Existing			
Single-Family Detached Housing	210	2 Dwelling Units	28
Multifamily Housing (Low-Rise)	220	14 Dwelling Units	165
Proposed			
Single-Family Detached Housing	210	3 Dwelling Units	40
Multifamily Housing (Mid-Rise)	221	124 Condominiums	545
NET TRIPS			392

24-hour traffic volumes were collected at two points, see Figure 2 below, on Shoal Creek Blvd on January 14th, 15th, and 16th, 2025.



Figure 2: Tube count locations

Table 2 provides an assumed trip distribution for the proposed land uses. This development proposes access to Shoal Creek Blvd. It has been assumed 80% of the site traffic will use Shoal Creek Blvd east of N Lamar Blvd to access the site and 20% of the site traffic will use Shoal Creek Blvd north of 15th WB to Lamar NB Ramp to access the site.

Table 2. Trip Distribution

Street	Expected Trip Distribution (Percentage)
Shoal Creek Blvd, East of N Lamar Blvd (Location 1)	80%
Shoal Creek Blvd, North of 15 th WB to Lamar NB Ramp (Location 2)	20%

Table 3 represents a breakdown of traffic on Shoal Creek Blvd: existing traffic, proposed site traffic, and total traffic after development.

Table 3. Traffic Summary

Street	Adjusted Existing Traffic from Counts (vehicles per day, vpd)	Site Traffic added to Roadway (vpd)	Total Future Traffic (vpd)
Shoal Creek Blvd, East of N Lamar Blvd (Location 1)	303	314	617
Shoal Creek Blvd, North of 15 th WB to Lamar NB Ramp (Location 2)	119	78	197

According to Section 25-6-116 of the Land Development Code (LDC), residential local or collector streets that have between 30 and 40 feet of pavement width are operating at an undesirable level if the average daily traffic volume for such a roadway exceeds 1,800 vehicles per day. Based on the LDC criteria, Shoal Creek Blvd is currently operating at desirable levels and will continue operating at desirable levels with the addition of site traffic.

This site will be subject to Street Impact Fee (SIF), which will help fund roadway capacity projects identified in RCP necessitated by new developments. SIF calculation shall be performed during the Site Plan review and fee will be collected at the time of building permit. For SIF-related information, please visit the City's SIF website (<https://www.austintexas.gov/department/street-impact-fee>).

This assessment is based on the proposed uses and access; any changes in these assumptions may require an updated NTA. This NTA does not grant nor guarantee approval of proposed driveway types or locations. Driveway types and locations will be reviewed with the site plan application.

Please contact me at manar.hasan@austintexas.gov if you have questions or require additional information.

Sincerely,



Manar Hasan, P.E.

Transportation and Public Works Department, City of Austin

Nancy Estrada
Planner Principal, Current Planning Division
Planning Department
512-974-7617
nancy.estrada@austintexas.gov

Hello Nancy,

Thank you again for the meeting on Monday with the City staff.

Attached are petitions in opposition to the proposed Citiscape Development at 1501-1603 Shoal Creek Blvd. Rezoning Application C14-2024-0155 from all the qualifying neighbors within 200 feet of the property.

The Judges Hill Neighborhood Assn (JHNA) of which I am a member and a designated spokesperson and the homeowners whose properties are near and/or adjacent to the proposed development by Citiscape have the following two significant concerns regarding the proposed development:

(1) stability of the slopes below a Critical Environmental Feature (CEF), and (2) traffic safety issues caused by the fact that there is only one unregulated entry/exit from Lamar Blvd for all of the additional cars that will result from the newly constructed 124 units and 3 additional SF3 structures. There is a second entry from the 15th Street ramp but it cannot be used as an exit. The remainder of this letter provides a brief summary of these concerns and requests that the city require the developer to provide geologic data and geotechnical engineering plans at this stage of the application process.

SLOPE STABILITY: We have recently consulted with Mr. Phil Bullock, P.G. and Dr. Bob Gilbert, P.E. regarding the proposed site and development. They both recently visited the site and confirmed the presence of a major Critical Environmental Feature (CEF) immediately upslope of the proposed development. Per the City of Austin Environmental Criteria Manual (ECM) definitions, the CEF is a "canyon rimrock" structure associated with a Buda Limestone bluff overlying the soft slopes of the Del Rio Clay formation. As the City is well aware, this particular geologic setting has been the source of several major slope failures involving the Del Rio Clay within mere blocks of the proposed development. These slope failures have caused significant property damage and safety risks to the public.

A photo from their site visit that shows the current condition of the marginally stable slopes of the Del Rio Clay is provided. We are concerned that the geologic setting at the site can lead to similar catastrophes if any excavation of the Del Rio Clay at the toe of the slope occurs as part of the proposed development. It is important that the proposed development fully evaluates and properly designs the foundations and the temporary and permanent lateral support structures in a way that accounts for the presence of the CEF and the Del Rio Clay.

TRAFFIC SAFETY: We are extremely concerned about the safety issues that will arise when the extra cars from the 124 unit project and the 3 SF3 structures and whatever traffic is generated by the first floor retail/commercial businesses attempt to enter and exit at the intersection of Shoal Creek and Lamar. See attached map showing this northern entry/exit. Specifically, we foresee that it will be particularly dangerous to attempt to enter into this intersection (which is more like a driveway) when traveling south on Lamar and when attempting to exit to get into the southbound lane from Shoal Creek Blvd.

A traffic light already exists at MLK and Lamar, approximately 100 feet to the north - making a second traffic light seems more of a redundant complication than a potential solution. We see this as an important issue and appreciate that the City is requiring a Traffic Impact Analysis (TIA)

REQUEST: We believe that the Planning Commission and the City Council need to be informed of the risks to public safety this application poses, rather than have them decide on a zoning change without the full picture. The developer has not yet even acknowledged the existence of the CEF in any of the documents we have seen. We are concerned that this omission is because the existence of the CEF complicates its application and it would like to have the zoning decision be made without these facts being in the zoning record. We believe the opposite approach of transparency is needed in this case. Therefore, we request that the developer provide the geologic data he will ultimately need to try to design a geotechnical approach that will seek to appropriately deal with this CEF issue, and if he has the geotechnical design already created, provide that as well. Waiting until the site plan stage to provide this critical information, when the decision about the adequacy of the data and the design does not have to be acted upon by the Council, helps the developer but would be a disservice to the Council, staff members who have to make a recommendation, the public and to the signatories of the valid petition (copy attached).

Thank you for your attention to our concerns. The risk to public safety and the potential damage to property caused by this proposed development are significant.

We look forward to meeting with the staff to discuss our geologic and geotechnical concerns.

Please feel free to contact Paul Gosselink at 512-750-6166

if you have any questions.

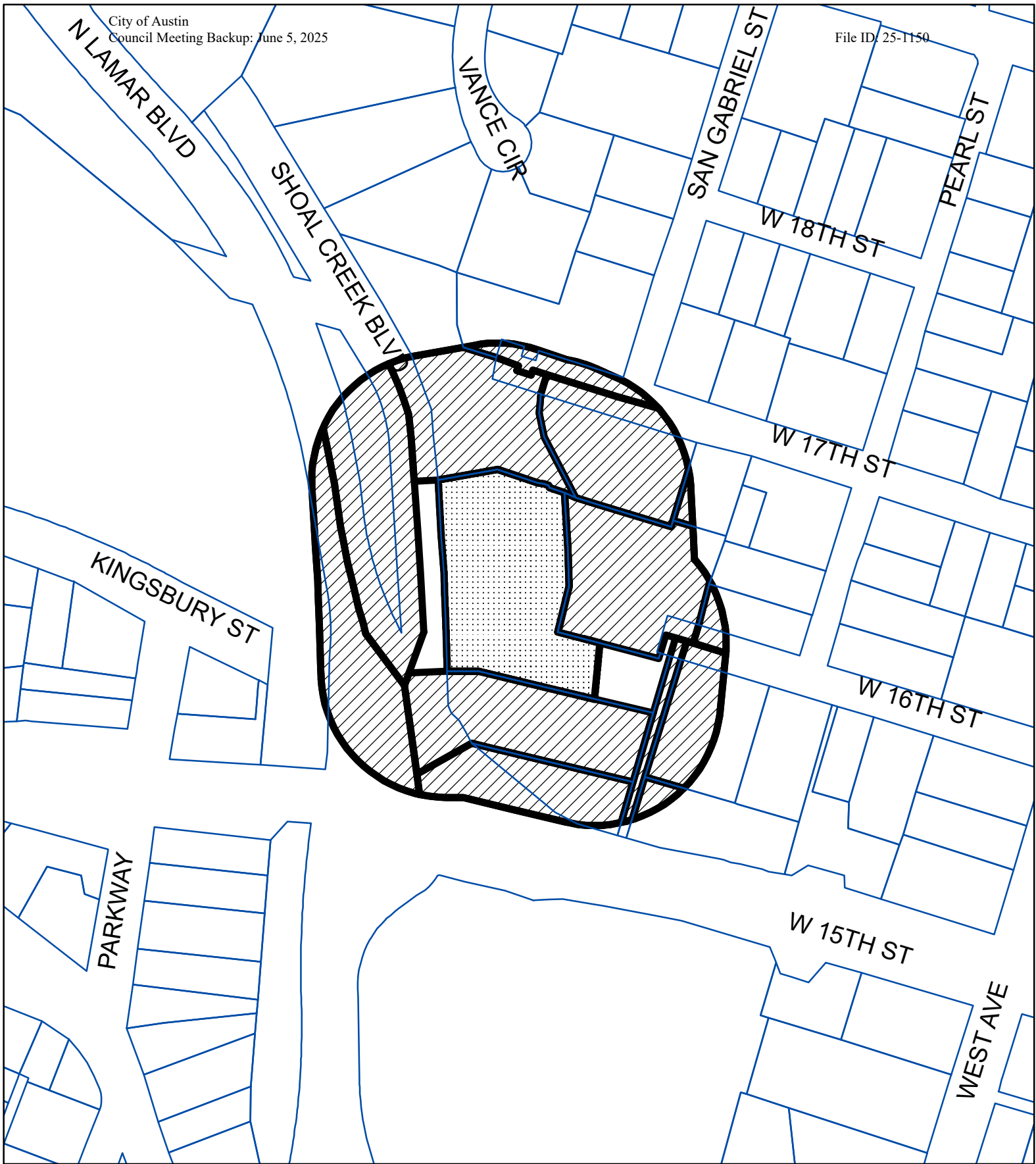
Megan Meisenbach 3/15/2025

Megan Meisenbach

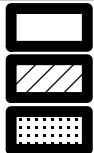
Judges Hill Neighborhood

meganmeisenbach05@gmail.com

512-940-2615



N



BUFFER

PROPERTY_OWNER

SUBJECT_TRACT

PETITION

Case#: C14-2024-0155

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" = 200'

Case Number:
C14-2024-0155

PETITION

Date: 3/21/2025

Total Square Footage of Buffer: 345624.6178

Percentage of Square Footage Owned by Petitioners Within Buffer: 43.73%

Calculation: The total square footage is calculated by taking the sum of the area of all TCAD Parcels with valid signatures including one-half of the adjacent right-of-way that fall within 200 feet of the subject tract. Parcels that do not fall within the 200 foot buffer are not used for calculation. When a parcel intersects the edge of the buffer, only the portion of the parcel that falls within the buffer is used. The area of the buffer does not include the subject tract.

TCAD ID	Address	Owner	Signature	Petition Area	Percent
0211010725	1609 SHOAL CREEK BLVD 78701	AUSTIN EQUITY INVESTORS LTD	yes	42881.52	12.41%
0112000319	1700 SAN GABRIEL ST AUSTIN 78701	BLAKESLEE JULIE D & JOHN WILLIAM SHELBY SPONG	yes	8327.27	2.41%
0211010727	903 W 17 ST 78701	BRADSHAW ELIZABETH S MORIN	yes	1440.10	0.42%
0112000401	N LAMAR BLVD 78701	CITY OF AUSTIN	no	39502.24	0.00%
0211010720	SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	45279.12	0.00%
0211010719	1501 SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	26304.55	0.00%
0211010601	SHOAL CREEK BLVD 78701	CITY OF AUSTIN	no	50901.63	0.00%
0211010707	W 16 ST 78701	CITY OF AUSTIN	no	5078.30	0.00%
0211010730	W 16 ST 78701	CITY OF AUSTIN	no	2643.01	0.00%
0211010708	903 W 16 ST 78701	GOSSELINK PAUL & MARGARET L	yes	17574.89	5.08%
0211010703	1604 PEARL ST AUSTIN 78701	KUNZ JOSEPH DAVID LIVING TRUST	yes	10.93	0.00%
0211010726	1001 W 17 ST 78701	PRINCE EDWARD RUDOLPH III & CATHERINE CRAFT PRINCE	yes	36888.54	10.67%
0211010704	900 W 16 ST 78701	SWANN DENISE	no	3354.27	0.00%
0211010731	908 W 16 ST 78701	TUSCANY TRUST	yes	44018.03	12.74%
Total				324204.39	43.73%

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025

Page 1

PETITION

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the present classification SF-3, LO-ETOD-DBETOD (Tract 2) and GO- ETOD-DBETOD (Tract 1) or more restrictive residential zoning.

REASON

- **CRITICAL ENVIRONMENTAL FEATURES [CEF's].** The Project tracts contain CEFs, including Canyon Rimrock, that are also on neighboring lots, posing a great risk of slope failure. With the recent slope collapses on both sides of North Lamar Boulevard no development which increases the risk of slope failure should be allowed and no variance should be allowed to bypass the City's rules regarding required distance from CEF's on this site, especially given recent slope failures which illustrate the ongoing risk.
- **DISRUPTION OF TRAFFIC ON LAMAR.** With only 1 exit from Shoal Creek Blvd, the ~~increase in traffic generated by the Project [124 residential units, plus commercial spaces]~~ will create a disruption to the flow of North Lamar. Through high traffic periods it ~~will be very difficult to turn into the Project from southbound Lamar, or to turn south onto Lamar from the Project.~~ This will present a traffic condition conducive to accidents.
- **FEMA FLOODPLAIN/SHOAL CREEK WATERSHED/EMERGENCY SERVICE.** The Project's ~~narrow street, Shoal Creek Blvd, has only 1 exit and two entrances, one of which is in the FEMA flood plain and both are within the boundaries of the Shoal Creek Watershed. This limited access will create difficulties during flooding (Shoal Creek flooded in 1915, in 1981 when 13 people died, and in 2015) or fire rescue of the occupants of the proposed 124-unit condo building and ground-floor commercial uses. This will endanger residents, customers, and emergency personnel.~~
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- **INCOMPATIBILITY WITH THE PEASE PARK GREENBELT.** The ~~proposed zoning would allow a 90-foot-tall building that would be completely inconsistent with the welcoming ambiance of Pease Park's greenbelt and gateway to Downtown.~~

LEGAL OBLIGATION OF LATERAL SUPPORT. The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number 0211010725 Plat Number: 21101 Block Number: 07 Lot Number: 25
Legal Description: TRT 1 OLT 11FT Div E ROGERS BROS SUBD

Phone Number: 806-674-8798

Printed Name: David Allison

Signature:



David Allison for Austin Equity Investors, LTD 1609 Shoal Creek Blvd. Austin, TX 78701

Mailing Address: 7604 Rustling Cv, Austin, TX 78731 Email: david@allison-firm.com

Address: 1609 Shoal Creek Blvd. Austin, TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025

Page 2

PETITION

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REASON

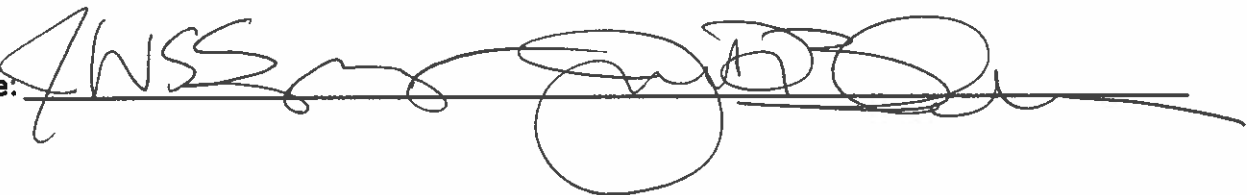
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LEGAL OBLIGATION OF LATERAL SUPPORT. The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number 0112000319 Plat Number 11200 Block Number 03 Lot Number 19
Legal Description: Lot 1 & E 85FT AV OF LOT 18 VANCE PARK OLT 12-14 DIV E PLUS ½ ADJ VAC ST & 384 SF of VAC ST & 80x200

Phone Number: _____ Printed Name: Blakeslee Julie D & John William Shelby Spong

Signature: _____



Address: 1700 San Gabriel Street, Austin TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025

Page 3

PETITION

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Parcel Number: 0211010727 Plat Number: 21101 Block Number: 07 Lot Number: 27
Legal Description: LOT A HOEY ADDN THE

Phone Number: _____ Printed Name: Bradshaw Elizabeth S Morin
Secondary Name: Life Estate

Signature: Elizabeth Bradshaw

Address: 903 West 17th Street, Austin TX 78701-1006

File Number: **C-14-2024-0155**

Address of Rezoning Request: **1501 – 1603 Shoal Creek Blvd**

Date: 2025 3/15/2025

Page 4

PETITION

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LEGAL OBLIGATION OF LATERAL SUPPORT. The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number 0211010708 Plat Number 21101 Block Number 07 Lot number 08

Legal Description: 154 X 176 FT OLT 9 Division E

Phone Number: 512-750-6166

Signature:

Printed Name: Gosselink Paul & Margaret L

Paul Gosselink Margaret L Gosselink

Address: 903 West 16th Street, Austin TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025

Page 5

PETITION

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Parcel Number 0211010703 Plat Number: 21101 Block Number: 07 Lot Number: 03
Legal Description: 65 X 166.22 FT OF OLT 11 Div E

Phone Number: 512.730.9650

Printed Name: Kunz Joseph David Living Trust

Signature:



Address: 1604 Pearl Street, Austin, TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: **1501 – 1603 Shoal Creek Blvd**

Date: 3/15/2025

Page 6

PETITION

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Parcel Number 0211010726 Plat Number 21101
Block Number 07 Lot number 26
Legal Description: Lot 2 OLT OLT 11 Div E MCCLENDON ANNE WATT SUBD
Phone Number: _____

Signature:

Printed Name: Prince Edward Rudolph III & Catherine Craft Prince



Address: 1001 W 17th Street, Austin TX 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025

Page 7

PETITION

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REASON

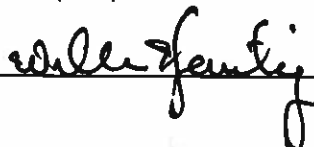
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Parcel Number: 0211010731

Tax Plat Number: 21101 Lot Number 31

Legal Description: Lot 1 of JUST HOME SUBDIVISION, A REPLAT OF WEST 16TH PLACE, A Subdivision in Travis County, Texas, according to the plat recorded in Document No. 200600207 of the Official Public Records of Travis County, Texas.

Phone Number: (512) 236-2390

Signature: 

Printed Name William Hartwig, as Co-Trustee of
The Tuscany Trust established June 1, 2020

Address: 908 West 16th Street, Austin, Texas, 78701

File Number: **C-14-2024-0155**

Address of Rezoning Request: 1501 – 1603 Shoal Creek Blvd

Date: 3/15/2025

Page 8

PETITION

We, the undersigned owners of property affected by the requested zoning change described in the referenced file, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than the present classification SF-3, LO-ETOD-DBETOD (Tract 2) and GO- ETOD-DBETOD (Tract 1) or more restrictive residential zoning.

REASON

- **CRITICAL ENVIRONMENTAL FEATURES [CEF's].** The Project tracts contain CEFs, including Canyon Rimrock, that are also on neighboring lots, posing a great risk of slope failure. With the recent slope collapses on both sides of North Lamar Boulevard no development which increases the risk of slope failure should be allowed and no variance should be allowed to bypass the City's rules regarding required distance from CEF's on this site, especially given recent slope failures which illustrate the ongoing risk.
- **DISRUPTION OF TRAFFIC ON LAMAR.** With only 1 exit from Shoal Creek Blvd, the increase in traffic generated by the Project [124 residential units, plus commercial spaces] will create a disruption to the flow of North Lamar. Through high traffic periods it will be very difficult to turn *into* the Project from southbound Lamar, or to turn south *onto* Lamar from the Project. This will present a traffic condition conducive to accidents.
- **FEMA FLOODPLAIN/SHOAL CREEK WATERSHED/EMERGENCY SERVICE.** The Project's narrow street, Shoal Creek Blvd, has only 1 exit and two entrances, one of which is in the FEMA flood plain and both are within the boundaries of the Shoal Creek Watershed. This limited access will create difficulties during flooding (Shoal Creek flooded in 1915, in 1981 when 13 people died, and in 2015) or fire rescue of the occupants of the proposed 124-unit condo building and ground-floor commercial uses. This will endanger residents, customers, and emergency personnel.
- **INCOMPATIBILITY WITH THE DOWNTOWN AUSTIN PLAN [DAP].** The proposed zoning changes are not compatible with DAP, which calls for no changes to zoning and preserves the single-family character of the Judges Hill District. The proposed zoning would allow for a 90-foot-tall building that is inconsistent with the adjacent single-family homes.
- **INCOMPATIBILITY WITH THE PEASE PARK GREENBELT.** The proposed zoning would allow a 90-foot-tall building that would be completely inconsistent with the welcoming ambiance of Pease Park's greenbelt and gateway to Downtown.

LEGAL OBLIGATION OF LATERAL SUPPORT. The project owner has a duty to provide lateral support for adjacent properties. The CEFs identified above highlight this risk.

Parcel Number 0211010709 Plat Number: 21101 Block Number: 07 Lot Number: 09
Legal Description: 104 X 176 FT OLT 9 Division E

Phone Number: 512-532-9561 Printed Name: Ward Michael E

Signature:

Michael E Ward
Sally Ward

Address: 901 W 16th Street, Austin TX 78701

The Tuscany Trust

908 West 16th Street
Austin, Texas 78701-1504

January 3, 2025

Ms. Lauren Middleton-Pratt
City of Austin Planning Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

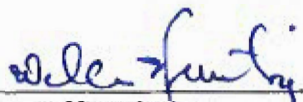
RE: C14-2024-0155 (1501-1603 Shoal Creek Blvd.): Written Protest to
Rezoning

Dear Ms. Middleton-Pratt:

The undersigned is the owner (the "*Owner*") of property located at 908 W. 16th Street (TCAD Property ID No. 726994), said property being located within 200 feet of the property proposed for rezoning at 1501, 1507, 1509, 1511, 1601, and 1603 Shoal Creek Boulevard in Austin. The Owner hereby files this written protest to the proposed rezoning of 1501-1603 Shoal Creek Boulevard pursuant to Section 211.006(d) of the Texas Local Government Code.

Owner files this objection in conjunction with Owner's neighbors as part of a valid petition.

In addition to protesting the proposed rezoning, the Owner files this written protest and valid petition to also preserve the Owner's right to protest the undisclosed and therefore unknown aspects of the site plan proposed for 1501-1603 Shoal Creek Boulevard.



William Hartwig, as Co-Trustee of The Tuscany
Trust established June 1, 2020

SENT BY CERTIFIED MAIL,
RETURN RECEIPT REQUESTED
AND COPY BY FIRST CLASS MAIL

c: Jackson Walker LLP
Attn: Tim Taylor

Austin City Council.
City Hall
301 West 2nd St
Austin, TX 78701

We the undersigned owners of property within 200 feet of the proposed project by Citiscape (comprised of the following lots: 1501, 1507, 1509, 1511, 1601 and 1603 Shoal Creek Blvd) file this objection to Citiscape's rezoning application. We file this objection in conjunction with our neighbors as part of a valid petition. We file this objection and valid petition in order to also preserve our right to object to the undisclosed and thereby unknown aspects of the site plan.

All best,

A large, stylized handwritten signature in black ink, appearing to be a cursive combination of the names Julie Blakeslee and John Spong.

Julie Blakeslee and John Spong
1700 San Gabriel St.
Austin, TX 78701

From: Leah Bojo

Sent: Wednesday, May 14, 2025 3:11 PM

To: Paul Gosselink; Estrada, Nancy <Nancy.Estrada@austintexas.gov>

Cc: Harden, Joi <Joi.Harden@austintexas.gov>; Middleton-Pratt, Lauren <Lauren.Middleton-Pratt@austintexas.gov>; Barton-Holmes, Christine <Christine.Barton-Holmes@austintexas.gov>; Qadri, Zo <Zo.Qadri@austintexas.gov>

Subject: Re: Request for Postponement; item 84

External Email - Exercise Caution

We agree to postpone to 6/5.

Leah M. Bojo, AICP, Director of Land Use & Entitlements
2705 Bee Caves Road, Suite 100, Austin, TX 78746
Drenner Group, PC | www.drennergrouppc.com

From: Paul Gosselink

Date: Wednesday, May 14, 2025 at 4:07 PM

To: Estrada, Nancy <nancy.estrada@austintexas.gov>

Cc: joi.harden@austintexas.gov <joi.harden@austintexas.gov>, Middleton-Pratt, Lauren <Lauren.Middleton-Pratt@austintexas.gov>, christine.barton-holmes@austintexas.gov <christine.barton-holmes@austintexas.gov>, Leah Bojo, Zo Qadri <Zo.qadri@austintexas.gov>

Subject: Fwd: Request for Postponement; item 84

From: **Paul Gosselink**

Dear Nancy

I write to request a postponement of item #84(case #C-14-2024-0155). I am the Vice President of the Judges Hill Neighborhood Association (JHNA) and a signatory on the valid petition on file in this case. I am the spokesperson for both groups.

Our concern is that the applicant plans to excavate the toe of a slope that has a very sensitive environmental and structural geologic setting. More specifically, canyon rimrock, a Critical Environmental Feature (CEF) and steep slopes. This slope lies between the adjacent homes on the top of the bluff and the proposed project at the bottom of the slope. Our experts, including Professor Robert Gilbert, Chair of the UT school of geotechnical engineering, have advised that the applicant's conceptual site plan violates the 150' regulatory buffer requirement and will

result in a catastrophic landslide where these homes could/would slide down this bluff if not fully protected against that risk. Dr. Gilbert was retained by the city to analyze the major slope collapse that occurred at Wooldridge Dr (Pease Park). He has stated that it is likely possible to design a retaining structure but it will be a difficult and sophisticated engineering project and very likely very costly. If it is correctly designed, we will abandon our protest.

This point was made at the Planning Commission (PC) public hearing. While the PC recommended approval of the zoning change, they also required the applicant to provide the geotechnic study to the city before the 5/22 hearing and to provide the materials to the protestants so we could also review those materials and any proposed design. The applicant agreed to do both.


Today is 5/14. According to my understanding of city policy, a request for a postponement must be filed "at least one week prior to the scheduled council meeting." And it must specify the reasons.

Our reason is that we have not received any of the materials required by the PC. We asked for interim information (Work Plan) and have emailed with the applicant several times to check on the status because, while it no doubt takes time to develop this study, it will also take time to review/analyze the study by our geotechnic experts. We are out of time. The failure to timely deliver anything is one problem. Dr Gilbert also will not be able to attend a hearing on May 22 because he will be at his daughter's graduation from Columbia.

The stakes are obvious; a mistake on this design or construction will put public safety at risk; both for the homeowners whose homes are at risk of sliding down the bluff and the condo owners if the landslide reaches them. The city doesn't have a geotech on staff. Our experts can provide an analysis that the city does not have the specific expertise to undertake.

We request a postponement until the 6/5 meeting - assuming we receive the promised study. This date preserves the applicant's desire to have the matter considered before the Council goes on summer break but allows time to evaluate this important matter

Respectfully submitted,
Paul Gosselink



From: Leah Bojo
Sent: Friday, March 21, 2025 4:31 PM
To: Paul Gosselink; Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Cc: Jim Montgomery; Drew Raffaele
Subject: Re: Shoal creek

External Email - Exercise Caution

Hi Paul,

I just got off the phone with my client and we can agree to your request to postpone Planning Commission to 4/22 due to your conflict on 4/8. That said, we would expect the City Council hearing to be scheduled for 5/22, with 6/5 as the backup date, doing everything we can to ensure that this case is done before Council heads into the summer break. I think that's what we talked about, but I wanted to make it super clear. Thanks to you and Jim for meeting this afternoon to discuss all of this.

Leah M. Bojo, AICP, Director of Land Use & Entitlements
2705 Bee Caves Road, Suite 100, Austin, TX 78746
Drenner Group, PC | www.drennergrouppc.com

From: Paul Gosselink
Date: Friday, March 21, 2025 at 4:58 PM
To: Nancy Estrada <Nancy.Estrada@austintexas.gov>
Cc: Leah Bojo, Jim Montgomery
Subject: Shoal creek

Nancy - I want to report that Leah and I just finished our call. Among other things, we agreed that our case should be postponed from its presently scheduled date of 3/25. Leah and I agreed that it should be postponed until 4/22 subject to Leah getting approval from her client which she said she would advocate. We further agreed based on what we know now that we would agree that we would appear before Council on the zoning portion of this application by 6/5. My caveat was that if something unforeseen/surprising came up we would not be bound to a 6/5 date.

Hope this helps.

I also understand from Leah that the staff report has been issued. Please send me a copy if you have not already.

Paul

From: Paul Gosselink

Sent: Friday, April 18, 2025 4:08 PM

To: Garcia, Ella <Ella.Garcia@austintexas.gov>; Estrada, Nancy <Nancy.Estrada@austintexas.gov>; Jim Montgomery; Megan Meisenbach

Subject: Concern about CEF (canyon rimrock) causing a slope collapse at 1501-1603 Shoal Creek Blvd

External Email - Exercise Caution

Please accept this memo outlining our concerns that the present set of plans for the proposed project can result in a collapse of the slope between the neighboring properties and the proposed project. We are requesting that the Planning Commission determine that this application should not go forward until the applicant provides an acknowledgement of the public safety risk associated with this same geology Buda Limestone and Del Rio Clay and a canyon rimrock CEF) which has resulted in similar slope collapses in recent years (2018, 2019 and 2023) in nearby sites (Wooldridge Dr and Poplar St) is made AND a demonstration that this risk will be prevented so that our homes will not be damaged, or made unsaleable or, worse, slide down the hillside. Please distribute this to the PC members prior to the 4/22 hearing

Thank you

Paul Gosselink

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.

For any additional questions or concerns, contact CSIRT at
["cybersecurity@austintexas.gov"](mailto:cybersecurity@austintexas.gov).

PUBLIC SAFETY RISKS PRESENTED BY SHOAL CREEK DEVELOPMENT

CASE:C-14-2024-0155 1501-1603 Shoal Creek Blvd,

Introduction

The City Council will be called upon to consider the application of Citiscape to rezone the referenced property to allow the construction of a condominium/apartment project in the woods at this address. The applicant fails to identify a critical environmental feature (CEF) that must be considered at every stage of the review process due to the significant public safety risk it poses.

Request for Action

We request that this risk to public safety be considered in the public forum of a City Council meeting. Transparent public dialogue is appropriate in this case in light of the multiple slope collapses that have recently occurred in the nearby area. It is time for the City Council to realize that this problem requires policy direction, or the public safety and property damage problems will continue.

Valid Petition

The surrounding homeowners have filed a verified valid petition. These property owners and the Judges Hill Neighborhood Assn (JHNA) oppose the project as presently proposed. The principal basis for our opposition is the very real risk that the slope between the project and the homes on top of the surrounding hill will collapse, much like the recent collapses along Lamar Blvd at Wooldridge Dr and 910 Poplar St. This would damage our homes, make them potentially unsaleable or, worse, cause our homes to slide down the collapsed slope. The geologic features (Buda Limestone overlying Del Rio Clays) are the same geologic features found up and down Lamar Blvd. These features led to the collapse of the apartments at Barton Springs and Lamar, the "graffiti wall" project at 11th, and other sites. The confirmed canyon rimrock Critical Environmental Feature (CEF) on the steep slope between the project and our homes is the specific reason for our belief that the proposed project will result in the collapse of this slope. The applicant's, (Citiscape) present plans are to excavate the toe of this slope to construct a 3-level underground parking garage, which will trigger the collapse.

Public Safety Concern

We bring this issue to the attention of the Council at this time and in this manner because we are concerned that it may be our only opportunity to do so. The Council needs to be informed of the critical environmental feature (CEF) involved in this

decision. Stated alternatively, Councilmembers should never be put in a position where, after they act, they discover that they would have acted differently if they had been fully informed. The risk to public safety is so clear in this case that the Council must consider this risk in addition to the standard zoning factors when considering our valid petition.

Regulatory Violations

The presently proposed location of Citiscape's project significantly violates the 150-foot buffer between the CEF and the proposed project as set out in the Environmental Criteria Manual (ECM). The Council's recognition of the importance of adhering to the buffer requirements established by the ECM and Land Development Code (LDC) was recently reiterated by your approval in March of the requirement to conduct hazard zone analyses within 200 feet of a waterway. Moreover, none of the other requirements of Section 25-8-121 of the LDC have been provided, making the application incomplete. Indeed, there is no mention of the existence of the CEF in any application documents on file.

Expert Opinion

Our concern that our homes will be damaged or slide down the slope when it collapses can be easily demonstrated. We have prepared various slides that explain the geotechnical engineering basis for our concern. We have retained Dr. Robert Gilbert, Chair of the Department of Civil, Architectural, and Environmental Engineering in the UT Cockrell School of Engineering. Professor Gilbert has studied this specific stretch of Shoal Creek's geology for over 30 years and is familiar with multiple examples of similar slope failures nearby. He will explain that Citiscape's plan to excavate the toe of this slope to construct a 3-level underground parking garage will trigger the collapse.

Please include this memo in the agenda backup material for the Planning Commission and the Council.

Respectfully submitted,

Paul Gosselink

903 W. 16th Street

Austin, Texas 78701

From: Marisela Maddox
Sent: Saturday, April 19, 2025 5:12 PM
To: Garcia, Ella
Subject: Case # C14-2024-0155 1501-1603 Shoal Creek Boulevard

External Email - Exercise Caution

Dear Ms. Garcia and members of the City of Austin Planning Commission,

I write to express my opposition to the Shoal Creek Development at 1501-1603 Shoal Creek Blvd. as it is currently proposed by the applicant.

As a Judges Hill resident and a neighbor of the residents adjacent to this property, I am concerned that neither the applicant nor the Planning Commission has addressed the existence of the Critical Environmental Feature [CEF] at the applicant's property. The CEF, which was previously identified by city staff, presents a real threat to potential property loss and public safety.

The proposed development includes a three-story underground parking garage that will cut into the toe of the same topography as the CEF. Three recent nearby slope failures -- the Wooldridge Dr. slope failure, the Poplar St. Slope failure, and the 11th St. Graffiti Park slope issues -- within one mile of the proposed location are examples of potential outcomes. The fact that numerous examples exist of slope failures [and extreme property loss/damage] within one mile of the applicant's address should be a red flag to the COA Planning Commission and the City Council.

The adjacent neighbors' concerns for potential extreme property damage/loss have yet to be addressed by the applicant or city staff. What will the City do if the property owners above experience a slope collapse? Does another house slide down the cliff? What if someone is harmed in such a catastrophic event?

While I am not opposed to additional housing in Austin and our neighborhood, I am gravely concerned about a potential slope collapse that could damage homes at the top of the cliff, the proposed development at the bottom of the cliff, and occupants at either location.

We compel the developer to address these concerns for potential property damage and public safety.

Thank you for your consideration of this matter.

Marisela Maddox
1809 Vance Cir., Austin, TX 78701

To the Austin Planning Commissioners

In care of Ella.Garcia@austin.texas.gov

**Public Safety Risks Presented by Shoal Creek Development
Case # C14-2024-0155 1501-1603 Shoal Creek Boulevard**

Introduction

The City Council will be called upon to consider the application of Citiscape to rezone the referenced property to allow the construction of a condominium/apartment project in the woods at this address.

The applicant fails to identify a critical environmental feature (CEF) that must be considered at every stage of the review process due to the significant public safety risk it poses.

Request for Action

We request that this risk to public safety be considered in the public forum of a City Council meeting. Transparent public dialogue is appropriate in this case in light of the multiple slope collapses that have recently occurred in the nearby area. It is time for the City Council to realize that this problem requires policy direction, or the public safety and property damage problems will continue.

Valid Petition

The surrounding homeowners have filed a verified valid petition. These property owners and the Judges Hill Neighborhood Assn (JHNA) oppose the project as presently proposed. The principal basis for our opposition is the very real risk that the slope between the project and the homes on top of the surrounding hill will collapse, much like the recent collapses along Lamar Blvd at Wooldridge Dr and 910 Poplar St. This would damage our homes, make them potentially unsaleable or, worse, cause our homes to slide down the collapsed slope. The geologic features (Buda Limestone overlying Del Rio Clays) are the same geologic features found up and down Lamar Blvd. These features led to the collapse of the apartments at Barton Springs and Lamar, the "graffiti wall" project at 11th, and other sites. The confirmed canyon rimrock Critical Environmental Feature (CEF) on the steep slope between the project and our homes is the specific reason for our belief that the proposed project will result in the collapse of this slope. The applicant's, (Citiscape) present plans are to excavate the toe of this slope to construct a 3-level underground

parking garage, which will trigger the collapse.

Public Safety Concern

We bring this issue to the attention of the Council at this time and in this manner because we are concerned that it may be our only opportunity to do so. The Council needs to be informed of the Critical Environmental Feature (CEF) involved in this decision. Stated alternatively, Councilmembers should never be put in a position where, after they act, they discover that they would have acted differently if they had been fully informed. The risk to public safety is so clear in this case that the Council must consider this risk in addition to the standard zoning factors when considering our valid petition.

Regulatory Violations

The presently proposed location of Citiscape's project significantly violates the 150-foot buffer between the CEF and the proposed project as set out in the Environmental Criteria Manual (ECM). The Council's recognition of the importance of adhering to the buffer requirements established by the ECM and Land Development Code (LDC) was recently reiterated by the Council's approval in March of the requirement to conduct hazard zone analyses within 200 feet of a waterway. Moreover, none of the other requirements of Section 25-8-121 of the LDC have been provided, making the Citiscape project application incomplete. Indeed, there is no mention of the existence of the CEF in any application documents on file.

Expert Opinion

Our concern that our homes will be damaged or slide down the slope when it collapses can be easily demonstrated. We have prepared various slides that explain the geotechnical engineering basis for our concern. We have retained Dr. Robert Gilbert, Chair of the Department of Civil, Architectural, and Environmental Engineering in the UT Cockrell School of Engineering. Professor Gilbert has studied this specific stretch of Shoal Creek's geology for over 30 years and is familiar with multiple examples of similar slope failures nearby. He will explain that Citiscape's plan to excavate the toe of this slope to construct a 3-level underground parking garage will trigger the collapse.

Please include this memo in the agenda backup material for the Planning Commission and the Council.

Sincerely,

Sally and Mike Ward

901 West 16th Street, Austin TX 78701

Judges Hill





910 Poplar Street above east side of Lamar
Wooldridge Drive on west side of Lamar

CAUTION: This is an EXTERNAL email. Please use caution when clicking links or opening attachments. If you believe this to be a malicious or phishing email, please report it using the "Report Message" button in Outlook.
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["cybersecurity@austintexas.gov"](mailto:cybersecurity@austintexas.gov).

To the Austin Planning Commissioners
care of Ella.Garcia@austin.texas.gov

**Public Safety Risks Presented by Shoal Creek Development
Case # C14-2024-0155 1501-1603 Shoal Creek Boulevard**

Introduction

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I request that this risk to public safety be considered in the public forum of a City Council meeting. Transparent public dialogue is appropriate in this case in light of the multiple slope collapses that have recently occurred in the nearby area. It is time for the City Council to realize that this problem requires policy direction, or the public safety and property damage problems will continue.

Valid Petition

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Expert Opinion

My concern that our homes will be damaged or slide down the slope when it collapses can be easily demonstrated. We have prepared various slides that explain the geotechnical engineering basis for our concern. We have retained Dr. Robert Gilbert, Chair of the Department of Civil, Architectural, and Environmental Engineering in the UT Cockrell School of Engineering. Professor Gilbert has studied this specific stretch of Shoal Creek's geology for over 30 years and is familiar with multiple examples of similar slope failures nearby. He will explain that Citiscape's plan to excavate the toe of this slope to construct a 3-level underground parking garage will trigger the collapse.

Please include this memo in the agenda backup material for the Planning Commission and the Council.

Sincerely,
Piper Jones
Judges Hill

From: **Megan Meisenbach**

Date: Mon, Apr 21, 2025 at 2:36 PM

Subject: C14-2024-0155. PC Item 12 C14-2024-0155 1501-1603 Shoal Creek Blvd City of Austin Geologists confirmed CEF on property of Zoning Case

To: <BC-Claire.Hempel@austintexas.gov>, <BC-Awais.Azhar@austintexas.gov>, <BC-Patrick.Howard@austintexas.gov>, <bc-alice.woods@austintexas.gov>, <BC-Nadia.Ramirez@austintexas.gov>, <BC-greg.anderson@austintexas.gov>, <bc-felicity.maxwell@austintexas.gov>, <BC-Casey.Haney@austintexas.gov>, <bc-ryan.johnson@austintexas.gov>, <bc-danielle.skidmore@austintexas.gov>, <BC-Imad.Ahmen@austintexas.gov>, <bc-anna.lan@austintexas.gov>, <bc-jessica.cohen@austintexas.gov>, <BC-Candace.Hunter@austintexas.gov>

Cc: Harden, Joi <joi.harden@austintexas.gov>, Garcia, Ella <ella.garcia@austintexas.gov>

Greetings Members of the Planning Commission,

Concerning the property at 1501-1603 Shoal Creek Blvd.

The City's Geologists have confirmed the presence of CEFs at 1501-1603 Shoal Creek Blvd (emails below**). The City Maps showing the CEF are attached

Scott Hiers, Geologist, wrote "there is rim rock critical environmental feature on site that is not reported in ERI report."

Jay Baker, PE, reported "this is related to a rim rock CEF that is part of the site plan review."

Lindsey Sydow, hydrogeologist, refers to "rimrocks and 150' setbacks". (**See emails and map below.)

Why is this important?

In layman's terms, this rimrock CEF led to the collapse at Wooldrige Drive into Pease Park which led to litigation between the City and the home owners and cost an estimated \$20 million to the City to repair the trail. (corrected typo)

The rimrock CEF led to the collapse at 910 Poplar Street.

These collapses at Wooldrige and Poplar are called "slope failure". There are more of these features along Lamar and Shoal Creek Boulevard such as the Graffiti Wall at 11th /Baylor and at Barton Springs Road at Lamar.

Removing the base of the slope or "toe" precipitates a collapse. Leaving the

"toe" and maintaining the vegetation in place helps keep this formation stable.
Disturbing the toe by digging leads to instability.

Sincerely, Megan Meisenbach
Judges Hill Neighborhood

**

From: Hiers, Scott [mailto:scott.hiers@austintexas.gov]
Sent: Wednesday, January 2, 2019 9:18 AM
To: Baker, Jay; R Thompson
Cc: Abee-Taulli, Pamela; Paul Gosselink; Johnson, Anaiah; Sydow, Lindsey
Subject: RE: Pease at Shoal Creek (SP-2018-0109C)

All,

I'm not sure why a ERM hydrogeologist was not included in the review of this case.
We requested to be added back in July or August. I believe we requested that Lindsey Sydow be added as the hydrogeologic reviewer.

Both Lindsey and I have been to site and there is rimrock critical environmental feature on site that is not reported in ERI report. So, the ERI report, which I believe was completed by Horizon, needs to be update and the CEFs and its associated 150-ft buffer shown on plans.

Scott E. Hiers, P.G.
City of Austin – Watershed Protection Dept.
Environmental Resources Management Division
505 Barton Spring Rd., 11th Floor
Austin, Texas 78704
512-974-1916 (Office)
scott.hiers@austintexas.gov

-----Original Message-----

From: Baker, Jay
Sent: Wednesday, January 02, 2019 8:47 AM
To: R Thompson
Cc: Abee-Taulli, Pamela <Pamela.Abee-Taulli@austintexas.gov>; Hiers, Scott <Scott.Hiers@austintexas.gov>; Paul Gosselink; Johnson, Anaiah <Anaiah.Johnson@austintexas.gov>
Subject: FW: Pease at Shoal Creek (SP-2018-0109C)

Ric:

Please accept this email from Paul Gosselink expressing concerns about slope stability on the site. I spoke with him in detail a few weeks ago and this is related to a rim rock CEF that is part of the site plan review. I asked him to follow up with an email. He indicated that he had brought this to Scott and Pamela's attention, so I have also copied them on this email. Has slope stability been addressed yet by the geotechnical engineer and is the proposed setback sufficient?

Jay C. Baker, P.E., CFM
Engineer C – Land Use Review
City of Austin Development Services Department One Texas Center, 505 Barton Springs Road, Office 438

Office: 512-974-2636

Scheduled Meeting Disclosure Information:

In accordance with City of Austin Ordinance 20160922-005,

From: Sydow, Lindsey [mailto:Lindsey.Sydow@austintexas.gov]

Sent: Thursday, January 10, 2019 3:18 PM

To: Hiers, Scott; Johnson, Anaiah; Paul Gosselink; Abee-Taulli, Pamela; Baker,

Subject: RE: Neal permit application

Hi Paul,

I was not able to draw the rimrocks in on the construction drawings, but I have drawn their approximate locations (based on our contours and our site visit because they have not been surveyed yet) as well as 150 foot buffers onto the attached site map. The yellow line on the map is the approximate limit of construction as depicted on the plan set. This would put their parking lot within the rimrock FYI I-Lindsey

Lindsey Sydow, P.G.

Environmental Scientist/Hydrogeologist

City of Austin – Watershed Protection Dept.

(512) 974-2746 (office)

Lindsey.Sydow@austintexas.gov

City Property Profile of 1501-1603 Shoal Creek Blvd.

910 Poplar Street Below

Austin American Statesman

Costly fix to Shoal Creek slope to come before City Council

By [Elizabeth Findell](#)

Posted Jun 18, 2019 at 6:36 PM

Updated at 9:30 AM

Austin American Statesman

-

Emergency funding to stabilize a destroyed bank of Shoal Creek should save the houses of nearby homeowners and prevent further danger to Lamar Boulevard and a public park, city staffers say, if the Austin City Council approves an emergency contract Wednesday.

A 300-foot section of bank along Shoal Creek collapsed after heavy rains in May 2018 — then again this year — destroying Shoal Creek Trail north of 24th Street, damaging a wastewater line, causing a water back-up to threaten Lamar with flooding and swallowing parts of four backyards along Wooldridge Drive. City staff members are recommending a fix that could cost up to \$20 million.

The price, first estimated to be in the \$8 million to \$16 million range, jumped as a result of more dirt falling and a heftier buffer being added in contingency funds because of the project's uncertainty, said Mike Kelly, a managing engineer in the Watershed Protection Department.

"We still have yet to get a piece of equipment on the site, so we might encounter unknown things. There is risk on the contractor themselves they have yet to quantify. We might have another slide; we might have flooding," Kelly said. "We want to go to the council once for this request and have reasonable authority to handle the unexpected."

William Heyer, 51, stands with his dog, Brandy, overlooking the site of a slope collapse along Shoal Creek in May 2018 that swallowed much of his home's backyard. On Wednesday, the Austin City Council will consider an emergency contract to repair the unstable slope.

Two of the homes affected have been vacant for more than a year, because they are not safe from more potential slides. Apparently eager to get work moving, displaced homeowners Michael and Bremond MacDougall agreed to pay a city-chosen engineer themselves to work on plans for repairing the slope. Watershed Protection staff members approved an agreement to eventually reimburse them up to \$185,000.

Using the city's contracting procedures, the MacDougalls hired the firm Hayward Baker, which prepared a March 1 report outlining options for stabilizing the slope. An \$8 million fix to only the city-owned property would just cause water to back up, create more landslides and endanger the public, it found. The firm recommended the second of two \$10 million options, which will use an anchor block and permanent wall of nails to reinforce the soil on both city and private property.

More than 4,000 truckloads of dirt and debris will need to be hauled from the site, engineers wrote. And homeowners will have a permanent 30-foot cliff where once they had backyards.

The \$10 million option being recommended rose to the maximum price of \$20 million after the second slide added \$1.6 million to the base cost and the contingency rose from 25% to 60%.

At Michael MacDougall's request, engineers also evaluated an option to partially reclaim his and his neighbors' yards, according to the report. That would cost the

city at least \$2.5 million more, which led staff members to nix the idea. Kelly said state law prohibits the city from using taxpayer money to restore private property, but said the homeowners involved will benefit from saving the rest of their properties.

Michael MacDougall indicated in an email Tuesday that he just wants to see the bank stabilized — quickly.

"I truly hope that the planned work to stabilize Pease Park and keep Shoal Creek from flooding can start immediately," he said. "Every time we have a rain storm, the situation gets more dangerous, more difficult and more expensive to fix. We are incredibly fortunate that no one has been seriously injured in the park."

[ALSO READ: City: Shoal Creek slope still a danger](#)

Staff members told the City Council at a workshop session Tuesday that engineering plans should be finalized in the next couple of months, so that work can begin in September. Designs and cost estimates to repair the hike-and-bike trail will begin after the bank is safe.

It's not the first time that section of the bank has seen problems. According to city documents, about 400 feet of land eroded and collapsed into Shoal Creek in the late 1990s, not long after construction of the hike-and-bike trail there.

In a March 1998 report, engineers said the bank could be stabilized by drilling straight shaft piers into the limestone to prevent further damage by the creek, behind a retaining structure of rock or earth.

"This will in our opinion be cost prohibitive," the report said. Alternatively, it suggested using large blocks of limestone to create a retaining wall to prevent further erosion.

Kelly said landslides happen regularly in this type of geographic formation, noting that an aerial photo from 1952 shows a slide in the same area. He likened the slide in the 1990s, repaired with boulders, to a patch on a tire that was still good, "but now the whole tire has blown up." The fix that staff members are proposing now is like the big fix deemed not feasible then.

"This, alternative 2A, is the cost-prohibitive version, so to speak," Kelly said. "This is what stops it for good."

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For any additional questions or concerns, contact CSIRT at
"cybersecurity@austintexas.gov".

-----Original Message-----

From: David Kratz
Sent: Wednesday, May 14, 2025 6:53 AM
To: Estrada, Nancy <Nancy.Estrada@austintexas.gov>
Subject: Case C14-2024-0155 (1615 Pearl, Objection)

Hello Ms. Estrada,

I would like to file an objection in zoning case C14-2024-0155, the shoal creek multi-unit complex, in its current form.

Dr Robert Gilbert is the Department Chair of the UT Civil/Environmental/Architectural program. He may be, literally, the most qualified and most objective voice on geology in the city. His assessment of the development site's geologic features, combined with the recent trend of geologic issues related to development in the Lamar/Shoal Creek corridor, lead me to believe the council should reject development plans in this case until they can be substantially reworked to address these issues.

Proceeding with the current plan, in light of the well-known risks, is irresponsible. It puts the safety of current residents at risk of catastrophe. Existing resident safety absolutely must absolutely be prioritized above development benefits.

The plan could easily pass at a later date, once the underlying geologic issues have been addressed and safety is no longer a concern.

Thanks,
David Kratz
Property Owner
1615 Pearl St
Austin, TX 78701
Phone: 267-640-7953

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Case Number: C14-2024-0155

Contact: Nancy Estrada, 512-974-7617

Public Hearing: March 25, 2025, Planning Commission

Arthur Diaz
Your Name (please print)

1576 PARKWAY
Your address(es) affected by this application (optional)

[Signature]
Signature

03/25/2025
Date

<input checked="checked" type="checkbox"/>	I am in favor
<input type="checkbox"/>	I object

Daytime Telephone (Optional): _____

Comments: _____

If you use this form to comment, it may be returned to:

City of Austin, Planning Department

Nancy Estrada

P. O. Box 1088, Austin, TX 78767

Or email to:

nancy.estrada@austintexas.gov

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Case Number: C14-2024-0155

Contact: Nancy Estrada, 512-974-7617

Public Hearing: March 25, 2025, Planning Commission

MICHAEL WARD

Your Name (please print)

☐ I am in favor
☒ I object

901 W. 16th STREET

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

Michael Estrada

Signature

3-16-25

Date

Daytime Telephone (Optional): _____

Comments: _____

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

Mark Seeger

Your Name (please print)

805 W 16th St, Austin TX 78701

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

Mark W. Seeger

Signature

5/12/2025

Date

Daytime Telephone (Optional): 512-474-2928

Comments: Not opposed to additional housing, however, I OBJECT because it places surrounding properties at catastrophic risk from disruption of a known Critical Environmental Feature (CEF). The applicant has FAILED to provide 1) a SITE PLAN or 2) a GEO TECH report to demonstrate how SLOPE FAILURE will be avoided - as has happened multiple times (Woolridge Drive, Castle Hill, Poplar Street). Of concern, the COA does not have available expertise (Geotechnical Engineer) to evaluate the catastrophic potentialities of this known CEF. Given 1) the instability of the CEF, 2) concerns around traffic ingress and egress (no traffic impact study), and, 3) legal risks to the COA, I OBJECT. A Subject Matter Expert (SME) from the University of Texas (Geotechnical Engineer) hired by the owners of neighboring properties has testified that this development, as proposed, has a high risk of slope failure, which should give pause to COA officials.

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Nancy Estrada

P. O. Box 1088, Austin, TX 78767

Or email to:

nancy.estrada@austintexas.gov

☐ I am in favor
☒ I object

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Case Number: C14-2024-0155

Contact: Nancy Estrada, 512-974-7617

Public Hearing: May 22, 2025, City Council

Arturo Diaz
Your Name (please print)

1516 PARKWAY
Your address(es) affected by this application (optional)

[Signature] 5/13/25
Signature Date

☒ I am in favor
☐ I object

Daytime Telephone (Optional): _____

Comments: _____

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

Jim Montgomery

Your Name (please print)

902A W 18th St, Austin TX 78701

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

James E Montgomery

Signature

05/13/2025

Date

Daytime Telephone (Optional): 5124136283

Comments:

Until the developer shows the upslope neighbors of thi

this property that they have conducted a geotechnical study and have a design plan to
Insure slope stability I can't be comfortable that we're not setting ourselves up for

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☐ I am in favor
☒ I object

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

PAUL GOSSELINK

Your Name (please print)

903 W. 16th St

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

Paul & Gosselink

Signature

☐ I am in favor
☒ I object

5/14/25

Date

Daytime Telephone (Optional): 512-322-9599

Comments: I am concerned that the act of excavating the toe of the slope of the bluff between the homes and the project in order to construct the bldg and 3 level underground parking garage shown on the conceptual plans will cause a landslide which will cause my house and my neighbors homes to slide down the bluff. This risk is similar to various other sites on this same geologic formation and very real according to the geoscientist that analyzed the "Pense Park" collapse for the City.

I am opposed until the applicant demonstrates that it has designed a structure that will protect the hillside ~~from~~ our homes from collapse.

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

Marisela Maddox

Your Name (please print)

1809 Vance Cir., Austin, TX 78701

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


Signature

May 13, 2025

Date

Daytime Telephone (Optional): 5127315190

Comments:

The proposed development poses a safety and public hazard to future residents of the development and adjacent property owners. As it is planned, it will cut into the vulnerable rock formation and potentially cause a landslide similar to those in the nearby area. The city and the applicant have an obligation to address the potential safety issues and so far neither have provided adequate solutions.

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☐ I am in favor
☒ I object

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

Gretchen Ellis

Your Name (please print)

1706 San Gabriel, Austin, TX 78701

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

Gretchen Ellis

Signature

May 15, 2025

Date

☐ I am in favor
☒ I object

Daytime Telephone (Optional):

Comments:

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

Gretchen Ellis

Your Name (please print)

1801 Vance Circle, Austin, TX 78701

☐ I am in favor
☒ I object

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

Gretchen Ellis

May 15, 2025

Signature

Date

Daytime Telephone (Optional):

Comments:

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City of Austin, Planning Department

Nancy Estrada

P. O. Box 1088, Austin, TX 78767

Or email to:

nancy.estrada@austintexas.gov

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Case Number: C14-2024-0155

Contact: Nancy Estrada, 512-974-7617

Public Hearing: May 22, 2025, City Council

Megan Meisenbach

Your Name (please print)

1800 San Gabriel St.

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

Megan Meisenbach

Signature

Date

Daytime Telephone (Optional):

Comments: Delay or deny the zoning change and site plan approval until and unless studies of the land and the likelihood of slope failure have been reviewed and sealed by a qualified Geotechnical expert. Avoid another embarrassing slope failure like Wooldridge Dr. Castle Hill and Poplar St.

☐ I am in favor
☒ I object

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

John Spong / Julie Blakeslee
Your Name (please print)

☐ I am in favor
☒ I object

1700 San Gabriel St / 1800 Vance Circle 78701
Your address(es) affected by this application (optional)

[Signature] 13 May 2025
Signature Date

Daytime Telephone (Optional): 512.217.3448

Comments: My family is steadfast opposed to this development until we get reliable, authoritative evidence that it won't lead to a collapse of the slope on the western & southern boundaries of Judges Hill. We have friends who lost their whole backyard above Pease Park & do not want that to happen to our neighbors or neighborhood.

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Case Number: C14-2024-0155

Contact: Nancy Estrada, 512-974-7617

Public Hearing: May 22, 2025, City Council

Rebecca Bingham

Your Name (please print)

1805 San Gabriel St

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

Rhym Bingham

Signature

5/13/2025

Date

☐ I am in favor
☒ I object

Daytime Telephone (Optional):

Comments:

Another large building
towering over our neighborhood
especially since it is to be
built on geography which
has shown over and over to
collapse (see landslides along
Shoal Creek) seems very
foolish, indeed.

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Contact: Nancy Estrada. 512-974-7617
Public Hearing: May 22, 2025, City Council

Lisa Kaindl
Your Name (please print)

☐ I am in favor
☒ I object

910 W 18th Austin 78701
Your address(es) affected by this application (optional)

[Signature] 5-13-25
Signature Date

Daytime Telephone (Optional): 512 217 1586

Comments: as a longtime resident of central austin - I
have seen numerous failures of disturbed hillsides
and have grave concerns about the proposed develop-
ment @ Shoal Creek & Lanar below judges hill.
The Del Rio Clay has major risks & a history of
failure once disturbed. The slope failure risk
has already occurred @ Poplar St., Graffiti wall &
Woolridge and the catastrophic failure along
Shoal creek / pearce park adds to the data

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that only appropriate
developments should be
considered,

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

SUSAN I. JONES

Your Name (please print)

804 W 17th Street Austin TX 78701

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

[Signature]

Signature

5/14/2025

Date

☐ I am in favor
☒ I object

Daytime Telephone (Optional):

Comments:

I am concerned that the construction proposed poses a public safety issue and potential threat of instability to all that are in this area.
We have seen slope failure before and I highly oppose putting development w/out strict safety measures in place that circumvent ANY potential safety issues in front of safety for us and our environment.

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

Jo Sue Howard

Your Name (please print)

☐ I am in favor
☒ I object

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

Jo Sue Howard

Signature

5-14-25

Date

Daytime Telephone (Optional):

Comments: This project, as proposed, suggests it will be a public safety issue, not only due to the traffic concerns but the critical environmental features. Until it can be shown these concerns are not validated or that they can be mitigated, I am opposed.

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Case Number: C14-2024-0155
Contact: Nancy Estrada, 512-974-7617
Public Hearing: May 22, 2025, City Council

William Hartwig, as Co-Trustee of
The Tuscany Trust established June 1, 2020

Your Name (please print)

☐ I am in favor
☒ I object

908 West 16th Street, Austin, Texas, 78701

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


Signature

May 21, 2025

Date

Daytime Telephone (Optional):

Comments: As an adjacent landowner, The Tuscany Trust opposes
the proposed development. It is inconsistent with the historic
Judge's Hill neighborhood and its character. Moreover, the
proposed development carries with it a serious public safety
risk to the stability of the cliff and the additional instability and
damage the project and its construction will cause. This is a health
and safety issue, and the safety of Austin residents and our property
should take priority over unsafe and incompatible new development.

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