

## ZONING CHANGE REVIEW SHEET

CASE: Waverly North (C14-2025-0034.SH)

DISTRICT: 9

ADDRESS: 3710 Cedar Street

ZONING FROM: SF-3-H-NCCD-NP and  
SF-3-NCCD-NP

TO: MF-4-H-NCCD-NP and  
MF-4-NCCD-NP

SITE AREA: approximately 1.57 acres (approximately 68,200 square feet)

PROPERTY OWNER: Austin Groups for the Elderly (Suzanne Anderson)

AGENT/APPLICANT: O-SDA Industries (Abigail Tatkov)

CASE MANAGER: Jonathan Tomko (512) 974-1057, [jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)

### STAFF RECOMMENDATION:

**Staff recommends granting multifamily residence-moderate-high density-historic landmark-neighborhood conservation combining district-neighborhood plan (MF-4-H-NCCD-NP) combining district zoning.** For a summary of the basis of Staff's recommendation, please see the *basis of recommendation* section below.

### PLANNING COMMISSION ACTION / RECOMMENDATION:

April 22, 2025: Staff postponement request to May 13, 2025 Planning Commission, granted.

May 13, 2025: Neighborhood postponement request to May 27, 2025 Planning Commission, granted.

May 27, 2025: Motion by Commissioner Woods, seconded by Commissioner Skidmore (9-0) to support staff recommendation of MF-4-H-NCCD-NP on lots 9, 11, 13, and 15 and MF-4-NCCD-NP on lots 1, 3, 5, and 7.

### CITY COUNCIL ACTION:

June 5, 2025: Case is scheduled to be heard by City Council.

### ORDINANCE NUMBER:

N/A

### ISSUES:

This development is seeing to utilize the city's Affordability Unlocked Program, as detailed in the applicant's summary letter (see *exhibit C* below). Developments that meet the requirements of the Affordability Unlocked Program may be subject to qualifying development exceptions as detailed in section 25-2-534 of the City Code.

### CASE MANAGER COMMENTS:

The property in question is located between Home Lane and Cedar Street just south of West 28<sup>th</sup> Street. It is approximately 1,000 feet east of Guadalupe Street which is an Imagine Austin Activity Corridor and approximately 2,000 feet north of the Downtown Imagine Austin Activity Center.

The site currently a two-story multifamily/office use of approximately 31,000 square feet with approximately 15,000 square feet of paved area. The northern portion of the building is historic, the southern portion was a later addition which is not. To the north, across West 38<sup>th</sup> Street are two two-story multifamily apartment buildings, one with approximately 34 units, and another with approximately 14 units. To the east, across Cedar Street is one three-story multifamily apartment building with approximately 14 units, one two-story multifamily apartment building with approximately 16 units, one two-story six-plex, three single family homes, and one duplex. To the south, across West 35<sup>th</sup> Street is one single family home constructed in the late 1920s with an accessory dwelling unit constructed in the late 1930s. To the west, across Home Lane is one two-story multifamily apartment building with approximately 18 units, and two single family homes.

**BASIS OF RECOMMENDATION:**

**Zoning should allow for reasonable use of the property.**

The subject tract has been used as a multifamily residential development; not as single family as the current base zoning district of SF-3. The proposed use would help restore the historic portion of the property and result in redevelopment of the southern addition which is not historic. This would allow for reasonable use of the property given the context.

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

Both Council and Planning Commission have adopted policies and principles to increase development and uses proximate to Imagine Austin Activity Centers and Activity Corridors and where major public transportation assets exist. Granting this rezoning is consistent with those policies and principles. The subject tract is approximately 1,000 feet east of Guadalupe Street which is an Imagine Austin Activity Corridor and approximately 2,000 feet north of the Downtown Imagine Austin Activity Center. It is a 15-minute walk from the subject tract to bus stops for CapMetro high-frequency routes 801, 803, and 7 and regular bus routes: 1, 3, 30, 481, 335.

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

Granting this rezoning would create additional opportunities for affordable housing and result in renovated units to co-exist with the restoration of a centrally located historic structure, proximate to a vast array of transportation choices.

**EXISTING ZONING AND LAND USES:**

	ZONING	LAND USES
<i>Site</i>	SF-3-H-NCCD-NP	Two-story multifamily/office use of approximately 31,000 square feet with approximately 15,000 square feet of paved area. The northern portion of the building is historic, the southern portion was a later addition which is not.

<i>North (across W. 38<sup>th</sup> St.)</i>	MF-4-NCCD-ETOD-DBETOD-NP	Two two-story multifamily apartment buildings, one with approximately 25,000 square feet and approximately 34 units, and another with approximately 11,000 square feet and approximately 14 units. Both constructed in the early 1960s.
<i>South (across W. 35<sup>th</sup> St.)</i>	SF-3-NCCD-NP	One single family home constructed in the late 1920s with an accessory dwelling unit constructed in the late 1930s.
<i>East (across Cedar St.)</i>	SF-3-NCCD-NP, MF-2-NCCD-ETOD-DBETOD-NP, MF-4-NCCD-ETOD-DBETOD-NP	One three-story multifamily apartment building of approximately 6,500 square feet with approximately 14 units constructed in the late 1970s. One two-story multifamily apartment building of approximately 7,200 square feet with approximately 16 units constructed in the late 1960s. One two-story six-plex, three single family homes, and one duplex.
<i>West (across Home Ln.)</i>	SF-3-NCCD-NP, MF-4-NCCD-ETOD-DBETOD-NP	One two-story multifamily apartment building of approximately 7,500 square feet with approximately 18 units constructed in the early 1970s. Two single family homes constructed in the early 1920s and 1930s.

NEIGHBORHOOD PLANNING AREA: Central Austin Combined Neighborhood Planning Area (North University)

WATERSHED: Waller Creek Watershed

SCHOOLS: A.I.S.D.

Lee Elementary School  
Kealing Middle School  
McCallum High School

COMMUNITY REGISTRY LIST:

Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, CANPAC (Central Austin Neigh Plan Area Committee), Central Austin Community

Development Corporation, Friends of Austin Neighborhoods, Friends of Hyde Park, Friends of Sparky Park, Homeless Neighborhood Association, Hyde Park Neighborhood Assn., Hyde Park Neighborhood Plan Contact Team, Neighborhood Empowerment Foundation, North Austin Neighborhood Alliance, North University Neighborhood Association, North University Neighborhood Association Development Review Committee, Preservation Austin, SELTexas, Save Our Springs Alliance, Sierra Club, Austin Regional Group

AREA CASE HISTORIES:

Number	Request	Commission	City Council
C14-2018-0101 aka C14-01-0046.03 (Helping Hand Home for Children)	The Applicant proposes to rezone 0.878 acres (two parcels of land) from SF-3-NCCD-NP and SF-3-NCCD-NP to MF-4-NCCD-NP	11.13.2018: to grant MF-4-NCCD-NP as staff recommended. [P. Seeger, R. Schneider – 2nd] Vote 12 – 0.	12.13.2018: to grant MF-4-NCCD-NP removing condition restricting each structure to no more than ten people. Council Member Alter's motion, Council Member Casar's second on a 9-0 vote. Mayor Adler was off the dais. Council Member Renteria was absent.
C14-2016-0072 (39 <sup>th</sup> Street Apartments)	The applicant is requesting to a zoning change from SF-3-NCCD-NP (Tracts 1 & 2) to MF-4-NCCD-NP.	10.11.2016: to grant MF-4-NCCD-NP as staff recommended, on consent (12-0) Motion by Commissioner Seegar, seconded by Commissioner Vela, Commissioner Schissler was off the dais.	11.10.2016: to grant MF-4-NCCD-NP as staff recommended, on an (11-0) vote. Motion by Council Member Renteria, seconded by Council Member Zimmerman.

RELATED CASES:

NPA-2025-0019.01.SH – Future Land Use Map (FLUM) change request from Civic to Multifamily Residential.

ADDITIONAL STAFF COMMENTS:

Environmental

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

2. Zoning district impervious cover limits apply in the Urban Watershed classification.
3. According to floodplain maps there is no floodplain within or adjacent to the project location.
4. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.
5. At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 s.f. cumulative is exceeded, and on site control for the two-year storm.
7. At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

#### Fire

No comments on rezoning

#### PARD – Planning & Design Review

PR1. Residential units that are certified affordable and income-restricted are exempt from the parkland dedication requirements per City Code § 25-1-601(D)(4). Parkland dedication will be required for any new market-rate residential units that may be proposed by this development, at the time of subdivision or site plan, per City Code § 25-1-601.

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](mailto:ann.desanctis@austintexas.gov). At the applicant's request, PARD can provide an early determination of parkland dedication requirements.

#### Site Plan

SP1. Site plans will be required for any new development except for residential only projects with up to 4 units.

SP2. Any new development is subject to LDC Subchapter E Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

SP3. The applicant is responsible for requesting relocation and demolition permits once the site plan is approved. The City Historic Preservation Officer will review all proposed building demolitions and relocations prior to site plan approval. If a building meets city historic criteria, the Historic Landmark Commission may initiate a historic zoning case on the property.

SP4. If this site is approved for participation in the Affordability Unlocked program (Ordinance No. 20190509-027, then it is not required to comply with the height and setback standards of Article 10 (Compatibility Standards). However, it must comply with the screening requirements as outlined within Section 25-2-1063 of Article 10 (Compatibility Standards).

Transportation and Public Works (TPW) Department – Engineering Review

- TPW 1. A transportation assessment/traffic Impact analysis shall be required at the time of site plan **if triggered**, when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1.
- TPW 2. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Home LN. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Home LN according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
- TPW 3. The Austin Strategic Mobility Plan (ASMP) calls for 58 feet of right-of-way for Cedar ST. It is recommended that 29 feet of right-of-way from the existing centerline should be dedicated for Cedar ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].
- TPW 4. The Austin Strategic Mobility Plan (ASMP) calls for 80 feet of right-of-way for W 38<sup>th</sup> ST. It is recommended that 40 feet of right-of-way from the existing centerline should be dedicated for W 38<sup>th</sup> ST according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

EXISTING STREET CHARACTERISTICS:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
Home LN	Level 1	58'	Varies: 25' to 33'	Varies: 22' to 25'	No	No	Yes
W 35 <sup>th</sup> ST	Level 1	58'	63'	30'	Yes	No	Yes
Cedar ST	Level 1	58'	53'	30'	Yes	No	Yes
W 38 <sup>th</sup> ST	Level 3	80'	70'	30'	Yes	Yes	Yes

TIA: A transportation assessment/traffic Impact analysis shall be required at the time of site plan **if triggered**, when land uses and intensities will be known per LDC 25-6-113 and TCM 10.2.1.

Austin Water Utility

AW1. No comments on zoning change.

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

Depending on the development plans submitted, water and or wastewater service extension requests may be required. All water and wastewater construction must be inspected by the City of Austin. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at [ser@austintexas.gov](mailto:ser@austintexas.gov).

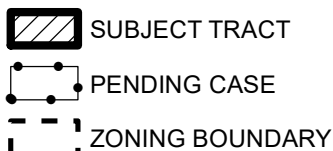
INDEX OF EXHIBITS AND ATTACHMENTS TO FOLLOW:

- A. Zoning Map
- B. Aerial Map
- C. Applicant's Summary Letter
- D. Memo from City of Austin Historic Preservation Office
- E. Correspondence from City of Austin Housing Department
- F. Correspondence from Interested Parties





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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.





## Waverly North

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

ZONING CASE#: C14-2025-0034.SH  
LOCATION: 3710 Cedar St  
SUBJECT AREA: 1.5657 Acres  
MANAGER: Jonathan Tomko







Ms. Lauren Middleton-Pratt  
Planning Department  
City of Austin  
1000 E 11<sup>th</sup> Street  
Austin, TX 78702

**Re: Rezoning and Neighborhood Plan Amendment for 1.567-acre property located at 3710 Cedar Street  
Austin, TX 78705**

Dear Ms. Middleton-Pratt:

As the owner of O-SDA Industries, a women-owned real estate development firm with a focus on detail-oriented, mixed-income, infill development, I am writing to respectfully submit the enclosed Neighborhood Plan Amendment (NPA) and rezoning application packages.

The project, Waverly North, is a proposed adaptive reuse of the existing historic structures on ±1.567 acres on Cedar Street between 35<sup>th</sup> and 38<sup>th</sup> Streets in the North University neighborhood in Central Austin. As submitted on 2/28/25 to the Texas Department of Housing and Community Affairs in its Housing Tax Credit (LIHTC) application, Waverly North would involve the preservation of the existing historic structures and the creation of 76 affordable apartment units.

The property is located in the North University Neighborhood Conservation Neighborhood Planning Area and has a Future Land Use Map designation of Civic. The NP amendment application requests to amend the FLUM from Civic to Multifamily and runs concurrently with the rezoning application.

The property is currently zoned SF-3-H-NCCD-NP. Rezoning for the site will be required to comply with impervious cover requirements for the new development. The requested zoning is MF-4-H-NCCD-NP. As the development will be applying to further designate the historic structures beyond their status as a state antiquities landmark, it will maintain the historic landmark (H) zoning and will pursue a Certificate of Appropriateness through the Historic Landmark Commission concurrently with the permitting process in Fall 2025. As such, the development will comply with the City of Austin's Historic Design Standards.

This development has also applied for the City of Austin Affordability Unlocked Type 2 Density Bonus Program, which will afford the development several development entitlements and waivers.

This proposal aligns with the goals and vision laid out in the Central Austin Combined Neighborhood Plan, which is inclusive of the North University Neighborhood Planning area, by providing multifamily development that reflects and preserves the historic nature and residential character of the neighborhood.

As the LIHTC process enshrines strict deadlines, the development must have approved zoning by July 2025 in order to proceed. As such, our firm is available to answer any questions about this important historic preservation and affordable housing development and appreciates your efficient consideration of these applications.

Best,

A handwritten signature in black ink, appearing to read "M. Lasch", written over a horizontal line.

Megan Lasch  
President, O-SDA Industries



The following provides an overview of the information that can be found in the applicant's LIHTC application:

#### **Unit Mix**

The proposed development will consist of a mix of efficiency, one-, two-, and three-bedroom units serving families at 30%, 50%, 60%, and 80% median area income levels.

#### **76 units**

Studio = 10 units  
1-Bedroom = 28 units  
2-Bedroom = 29 units  
3-bedroom = 9 units

30% AMI Units = 17 (22% of total units)  
50% AMI Units = 20 (26% of total units)  
60% AMI Units = 27 (36% of total units)  
80% AMI Units = 12 (16% of total units)

#### **Historic Preservation**

There are several structures on site that are currently designated as State Antiquities Landmarks. Waverly North will be applying for state and federal historic tax credits as part of the financing of this project, which involves further designation at the state and federal levels. O-SDA Industries has successfully completed this process on other historic rehab projects in the DFW area, including Cielo Place that converted the Riverside Baptist Church into 90 units of affordable housing. An initial Determination of Eligibility submission was submitted to the Texas Historic Commission on January 30<sup>th</sup>. The project intends to keep and restore the exterior of the original building to ensure that it meets all local, state and federal historic guidelines. Waverly North will also go before the Austin Historic Landmark Commission due to the -H zoning category on the site to request a Certificate of Appropriateness in Fall 2025. We have already set up initial meetings and are on the agenda for the upcoming architectural review board as well.

#### **On-site Amenities**

Resident on-site amenities will include a fitness center, snack kitchen and gathering space, cyber lounge, kids playroom and beautiful outdoor spaces.



**Cielo Place Apartments, Fort Worth Texas**  
(Former Riverside Baptist Church)

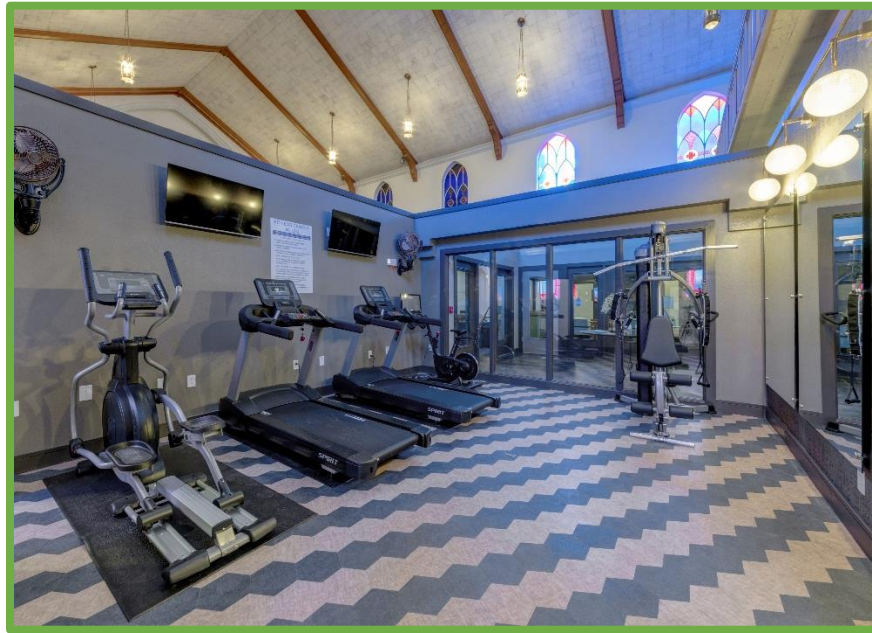


Residential unit



Community Gathering Space and Management Office

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



Fitness Center



Community Space Accessible to Fort Worth Community Organizations





## MEMORANDUM

**TO:** Planning Commission

**FROM:** Kim McKnight, Historic Preservation Division Manager, Planning Department  
Kalan Contreras, Historic Preservation Officer, Planning Department

**DATE:** March 12, 2025

**SUBJECT:** Historic Landmark Commission review schedule for modifications to historic landmark building at 3710 Cedar Avenue

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This memorandum provides information about the Historic Landmark Commission's (HLC) review of the proposed modifications to the Confederate Woman's Home, a City of Austin landmark and State Antiquities Landmark. The building was designated as a [State Antiquities Landmark](#) in 1986, as a [City landmark](#) in 1988, and was approved for a [State of Texas Historical Marker](#) in 2013.

As a City of Austin Historic Landmark, the building at 3710 Cedar Avenue is subject to the [City's Historic Design Standards](#) and must submit an application for a Certificate of Appropriateness to ensure that any proposed modifications comply with the Standards, per [Land Development Code § 25-11-212 \(A\) \(Certificate Required\)](#):

*Until a person obtains a certificate of appropriateness from the Commission or the building official, the person may not: (1) change, restore, rehabilitate, alter, remove, or demolish an exterior architectural or site feature of a designated historic landmark or a contributing structure, whether or not a building or demolition permit is required, and including but not limited to the replacement of windows, doors, exterior siding materials, installation of shutters or exterior lighting, or the replacement of roof materials; (2) change, restore, remove or demolish an exterior architectural or site feature of a structure for which a designation is pending under Section 25-11-214 (Pendency Of Designation); or (3) construct a new, standalone, ground-up structure on a historic landmark (H) property or within a historic area (HD) combining district.*

When a property owner applies to alter the exterior appearance of an H-zoned historic property, the historic review process—and the Historic Design Standards—must be followed. If a conflict with the Land Development Code arises, the Historic Design Standards shall control, and can modify other Land Development Code regulations for building setbacks and height, compatibility, permanent landscape elements, parking, and signs. The [Historic Design Standards specify that historic review is required to:](#)

*Replace elements on the exterior of a historic building, including but not limited to siding, porches, doors, windows, or roof materials (except in-kind replacement of roof materials); alter permanent site features of a historic property, including but not limited to decks, pools, walls, fences, and bridges; construct an addition to a historic building; construct a stand-alone new building; relocate a building to a historic district or a historic landmark property; demolish or relocate a historic*

*building or parts of a historic building; install a commercial awning or a sign; clean, repoint, or paint a masonry building; or paint a historic landmark building.*

Because of the significance of historic landmarks (H-zoned properties), the Historic Landmark Commission may further limit allowable alterations and additions.

While the Historic Landmark Commission and Historic Preservation Office regulate exterior modifications to H-zoned properties through the Certificate of Appropriateness application process, they do *not* have purview over the property's intended use, which is controlled by its base zoning. When a historic landmark property subject to a rezoning application, the Zoning Case Manager typically advises the applicant to submit plans for modifications to the Historic Landmark Commission for review prior to beginning the separate application and hearing process for changing base zoning. In the case of 3710 Cedar Avenue, the applicant has requested staff to allow the zoning application to begin the review process prior to completion of the Historic Landmark Commission plan review process in order to meet affordable housing tax credit deadlines, which require the rezoning of the property to be complete.

State Antiquities Landmark (SAL) is the highest level of historical designation offered by the State of Texas. This designation stipulates that a property cannot be removed, altered, damaged, salvaged, or excavated without a permit from the Texas Historical Commission (THC). Before commencing work on an SAL, the property owner must notify the THC of the proposed project. As the applicant wishes to apply for state and federal historic tax credits allowed by SAL designation and administered by the THC, the applicant must also coordinate with the THC to ensure that the proposed project meets State eligibility criteria. State and federal tax incentives require that work to a historic property meet the Secretary of the Interior's Standards for Rehabilitation—upon which the City of Austin's Historic Design Standards are based—to qualify for the credit. Ideally, State of Texas permitting requirements for SALs are complete prior to Certificate of Appropriateness review by the Historic Landmark Commission.

There is no current Code requirement that rezoning come after Historic Landmark Commission review of proposed changes. As the applicant is aware that they must submit a Certificate of Appropriateness application for review by the Historic Landmark Commission regardless of the property's use or zoning, and that the Historic Design Standards are the controlling regulations on exterior modifications to a historic landmark property regardless of the property's use or zoning, staff agrees to allow the applicant to proceed with the rezoning application prior to final approval of plans by the Historic Landmark Commission. Additionally, the applicant has agreed to attend the April 9<sup>th</sup> meeting of the Architectural Review Committee, comprising three architects serving on the Historic Landmark Commission, to receive feedback on the proposed design in order to enhance the future project's compatibility with the Historic Design Standards.

cc: Lauren Middleton-Pratt, Director, Planning Department  
Andrea Bates, Assistant Director, Planning Department  
Joi Harden, Zoning Officer, Planning Department  
Jonathan Tomko, Planner Principal, Planning Department  
Historic Landmark Commission





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## RE: Waverly North AU status

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From Kennedy, Brendan <[REDACTED]>

Date Tue 4/8/2025 2:30 PM

To [REDACTED] <[REDACTED]>

Cc Karen McGraw <[REDACTED]>; Tomko, Jonathan <[REDACTED]>; betsy greenberg <[REDACTED]>; Adam Stephens <[REDACTED]>; Homer Parsegian <[REDACTED]>; Barbara Davis <[REDACTED]>

 1 attachment (620 KB)

Waverly\_Zoning Letter.pdf;

Ms. Bell,

Affordability Unlocked is a voluntary affordable housing density bonus. Through the program, affordable housing developers may obtain certain modifications or waivers of development regulations (“bonuses”) if they meet the program’s affordability requirements. Those bonuses include waivers of minimum site area and parking requirements, as well as modifications to setbacks and increased height. If you want to learn about the program, information is on [our webpage for Development Incentive programs](#) under the “Affordability Unlocked” section. Affordability Unlocked bonuses would supersede NCCD regulations if they conflict.

Our Department’s certification process confirms that an applicant’s proposed development meets the affordability requirements. Our review is limited to the affordability being proposed; our team does not review designs or drawings. The applicant would still be subject to future site plan review and permitting for their site design, but with Affordability Unlocked certification, they may utilize the program’s bonuses in that design.

The affordability being proposed is significantly more affordable than 80% MFI for most units. The zoning letter (attached) indicates that the development will include 17 units at 30% MFI, 20 units at 50% MFI, 27 units at 60% MFI, and 12 units at 80% MFI across a range of studios up to 3-bedrooms. This reflects the affordability being proposed through Affordability Unlocked and the Low-Income Housing Tax Credit, a federal program.

Sincerely,



**Brendan Kennedy** (he/his)

Program Manager  
Housing Department

1000 East 11<sup>th</sup> Street, Suite 200, Austin, TX 78702  
512-978-1594

[www.AustinTexas.gov/Housing](http://www.AustinTexas.gov/Housing)

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**From:** Pam Bell <[REDACTED]>

**Sent:** Monday, April 7, 2025 10:48 AM

**To:** Kennedy, Brendan <[REDACTED]>

**Cc:** Karen McGraw <[REDACTED]>; Tomko, Jonathan <[REDACTED]>; betsy greenberg <[REDACTED]>; Adam Stephens <[REDACTED]>; Homer Parsegian <[REDACTED]>; Barbara Davis <[REDACTED]>

**Subject:** Re: Waverly North AU status

External Email - Exercise Caution

Hi Brendan,

I'm the president of the North University Neighborhood Association (NUNA). Please help me to understand the Affordability Unlocked process.

The developer is proceeding as if the Affordability Unlocked has already been applied, yet has not shown any recent drawings that show their plans. Only "Options.". Our NUNA neighbors are most concerned, as earlier drawings for the proposed development (without any evidence) exceeds the height restrictions, setbacks, parking, and several other requirements in the North University NCCD, which is part of the Central Austin Neighborhood plan.

We are not against affordable housing, indeed, we have much in our neighborhood. We welcome low income families who want to access our park and schools. We are not satisfied with the number of units the developer is assigning to the income categories, and want more for families at the lower MFI percentages, i.e., families with \$100,600 income (80%) MFI do not need affordable housing.

How can we have input into this process without access to the developer's plans and discussions with the City? Are we shut out of the process?

Thank you.

Pam Bell, President  
North University Neighborhood Association

[REDACTED]  
512.560.1953

On Apr 7, 2025, at 9:12 AM, Kennedy, Brendan <[REDACTED]> wrote:

Jonathan,

Waverly North has applied for Affordability Unlocked. The application has completed initial review and meets program requirements. However, the proposed development will not be fully certified until a binding land use restrictions agreement is executed which memorializes the affordability requirements. We anticipate that this agreement will be executed when the development is further along in the development process. As a result, it is not certified at the moment.

Best,



**Brendan Kennedy** (he/his)

Program Manager  
Housing Department

1000 East 11<sup>th</sup> Street, Suite 200, Austin, TX 78702

512-978-1594  
[REDACTED]

[www.AustinTexas.gov/Housing](http://www.AustinTexas.gov/Housing)

**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 "[REDACTED]".

## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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



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

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

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

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

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

**Case Number: C14-2025-0034.SH**

**Contact: Jonathan Tomko, 512-974-1057**

**Public Hearing: April 22, 2025, Planning Commission**

*Sarah Fitzsimons*

Your Name (please print)

*302 W. 35th St, 78705*

Your address(es) affected by this application

*Aurora Fitzsimons*

Signature

☐ I am in favor  
☒ I object

*4/15/25*  
Date

Daytime Telephone (optional): *210-2899143*

Comments:

*This is an inappropriate development for this neighborhood.*

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

City of Austin, Planning Department

**Jonathan Tomko**

P. O. Box 1088, Austin, TX 78767

Or email to:

[jonathan.tomko@austintexas.gov](mailto:jonathan.tomko@austintexas.gov)



## PUBLIC HEARING INFORMATION

This zoning/rezoning request will be reviewed and acted upon at two public hearings: before the Land Use Commission and the City Council. Although applicants and/or their agent(s) are expected to participate in a public hearing, you are not required to participate. This meeting will be conducted both online and in-person at which you will have the opportunity to speak FOR or AGAINST the proposed development or change. Contact the case manager for further information on how to participate in the public hearings. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

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



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

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

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

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

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

Case Number: C14-2025-0034.SH

Contact: Jonathan Tomko, 512-974-1057

Public Hearing: May 13, 2025, Planning Commission

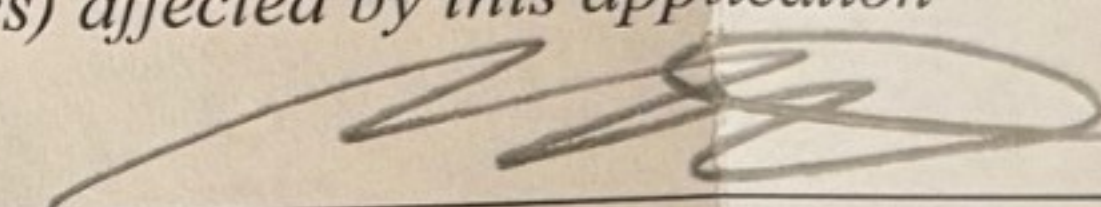
Public Hearing: June 5, 2025, City Council

MATT DESLOGE

Your Name (please print)

Friends of Hyde Park NA

Your address(es) affected by this application



Signature

☒ I am in favor  
☐ I object

5/8/25

Date

Daytime Telephone (optional): \_\_\_\_\_

Comments: \_\_\_\_\_

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**Austin Groups for the Elderly and North University Neighborhood Assn**  
Proposal to rezone 3710 Cedar Street for the Waverly North Project  
City of Austin case C14-2025-0034.SH

**North University NCCD (Ordinance No.040826-58) revisions:**

**Part 2 - Base Zoning**

The existing SF3-H-NCCD-NP will remain for 3710 Cedar Street and will permit multi-family use.

Maintain the “H” status of the existing historic buildings, requiring approval from the Austin Historic Landmarks Commission.

**Part 6 – General Provisions:**

1 For a multi-family development at 3710 Cedar Street, the pedestrian-oriented uses requirement applies to 50% of the new building frontage on Cedar Street and Home Lane.

7(g) Parking: For a multi-family use at 3710 Cedar Street, an on-site parking space must be provided for each dwelling unit. Parking along Cedar Street in front of the site may count toward the parking requirement.

11 – At 3710 Cedar Street minimum site area for multi-family uses does not apply.

**Part 7 – Residential District.**

**Site development standards table.**

The front setback for new buildings facing Cedar Street must match the front setback of the historic building.

For a multi-family development-at 3710 Cedar Street the maximum Impervious cover is 70%.



**The developer, O-SDA, and North University Neighborhood Association have discussed design issues which will be further developed as the project work progresses.**

The project site is surrounded by single family and 2-3 story multi-family projects. The streets are walkable and shady. Waverly North residents should have connections to and enjoyment of the street amenities and pedestrian culture.

The **design** of this project is crucial to the “fit” that it will have with the surrounding neighborhood both visually and functionally for Waverly North residents. The current preliminary plans indicate an inwardly oriented development with dwellings built around a central space including stairways, elevators, other dwelling entries and access to ground level parking. The current design does not provide **ground level access or visual connections** to the streets and sidewalks in and around the neighborhood. NUNA has recommended design ideas to the developer, such as street-facing entries, to promote Waverly residents’ access to the neighborhood’s street amenities and pedestrian culture.

Existing neighborhood developments incorporate **transition spaces** between dwellings and the public realm including porches, lawns and walkways facing the public way. This pattern is reflected in the NCCD which requires “**pedestrian-oriented**” uses at ground level. While the developer has offered a choice between all ground level parking OR ground floor uses with reduced parking, it is hoped that further designs will incorporate more ground level uses and transition spaces. Neighbors have suggested one below-grade parking level.

Providing pedestrian-oriented spaces, transition spaces, walkways and entries on the public side of the building will provide the added benefit of breaking up the **long and tall solid walls** shown in preliminary plans and will have the added benefit of separating the parking from building frontages.

Developers will provide sidewalks on all sides of this project.