

**NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET**

**NEIGHORHOOD PLAN:** Central East Austin

**CASE#:** NPA-2022-0009.01

**DATE FILED:** July 16, 2022 (In-cycle)

**PROJECT NAME:** 1007 and 1021 E. 7<sup>th</sup> Street

**PC DATE:** March 14, 2023  
February 28, 2023  
January 10, 2023

**ADDRESS/ES:** 1007 and 1021 E. 7<sup>th</sup> Street

**DISTRICT AREA:** 3

**SITE AREA:** 0.6546 acres

**OWNER/APPLICANT:** 1007 East 7<sup>th</sup> Street (Austin) Owner, L.P. and 1021 East 7<sup>th</sup> Street (Austin) Owner, L.P.

**AGENT:** Armbrust and Brown, PLLC (Richard T. Suttle, Jr.)

**CASE MANAGER:** Maureen Meredith

**PHONE:** (512) 974-2695

**STAFF EMAIL:** Maureen.Meredith@austintexas.gov

**TYPE OF AMENDMENT:**

**Change in Future Land Use Designation**

**From:** Specific Regulating District      **To:** Specific Regulating District  
*There is no change to the future land use map.*  
To amend the Plaza Saltillo Station Area Plan to allow a base maximum building height from 60 feet to 90 feet on the subject tract.

**Base District Zoning Change**

**Related Zoning Case: C14-2022-0149**  
To amend the Plaza Saltillo Regulating Plan to allow a base maximum building height from 60 feet to 90 feet on the subject tract.

**NEIGHBORHOOD PLAN ADOPTION DATE:** December 11, 2008

**CITY COUNCIL DATE:**

**April 20, 2023**

**ACTION:** Postponed to May 18, 2023 by staff. [J. Velasquez – 1<sup>st</sup>; P. Ellis – 2<sup>nd</sup>]

**May 18, 2023**

**ACTION:** Approved 1<sup>st</sup> Reading

**June 8, 2023**

**ACTION:**

**PLANNING COMMISSION RECOMMENDATION:**

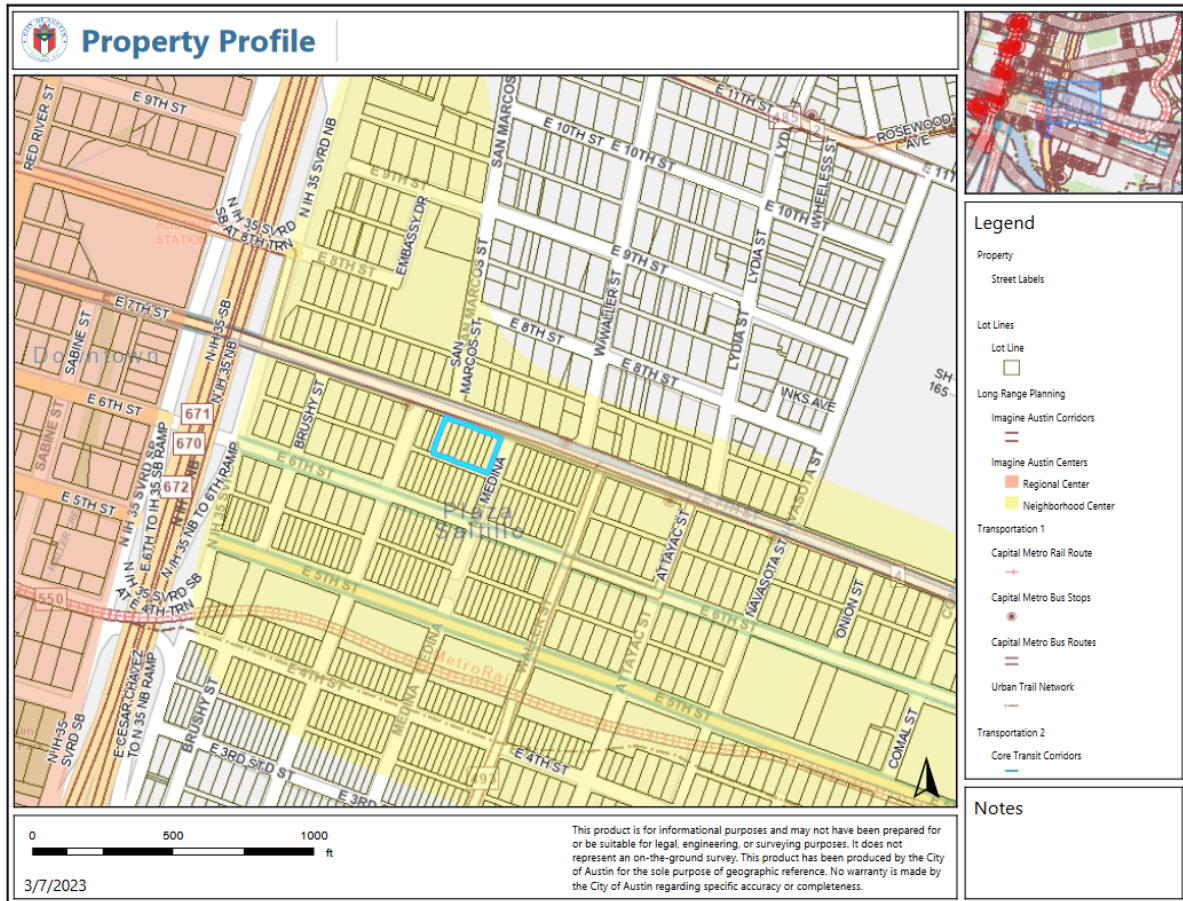
***March 14, 2023*** – Approved for the applicant’s request for a base maximum building height of 90 feet on the consent agenda. [R. Schneider – 1<sup>st</sup>; C. Hempel -2<sup>nd</sup>] Vote: 9-0 [Y. Flores, J. Mushtaler, J. Shieh, and J. Thompson absent].

***February 28, 2023*** – Postponed to March 14, 2023 on the consent agenda at the request of staff. [R. Schneider – 1<sup>st</sup>; P. Howard – 2<sup>nd</sup>] Vote: 11-0 [Y. Flores absent. One vacancy on the dais].

***January 10, 2023*** – Postponed to February 28, 2023 on the consent agenda at the request of staff. [A. Azhar – 1<sup>st</sup>; J. Thompson – 2<sup>nd</sup>] Vote: 11-0 [One vacancy on the dais].

**STAFF RECOMMENDATION:** Staff supports the applicant’s request to allow a base maximum building height of 90 feet.

**BASIS FOR STAFF’S RECOMMENDATION:** Staff supports the applicant’s request because the property is located along E. 7<sup>th</sup> Street which is an activity corridor and core transit corridor with access to public transportation where higher density uses can be accommodated. In addition, the property is within the Plaza Saltillo Neighborhood Activity Center and less than 0.25 miles east of the Downtown Regional Activity Center. The proposed multifamily development with approximately 145 residential units that will provide much-needed housing for the City and the planning area. Ten percent of the residential units will be available at 60% MFI.



## LAND USE DESCRIPTIONS

### EXISTING LAND USE ON THE PROPERTY

**Specific Regulating District** - This map designation is intended for areas that have an adopted regulating plan. This district will be identified on the Future Land Use Map, but is not considered a typical land use category. The purpose of this designation is to make the user aware of the Regulating Plan and that it should be reviewed for development regulations.

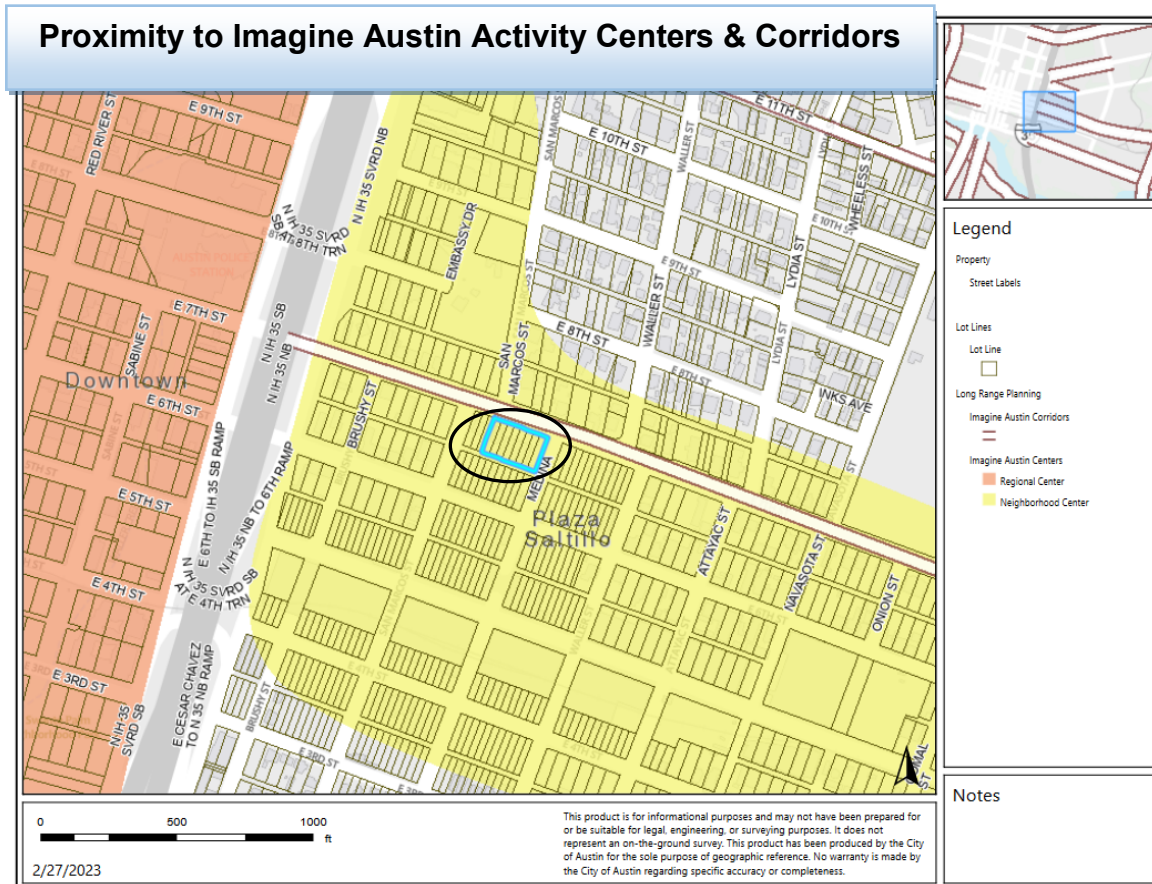
Approved Regulating Plans:

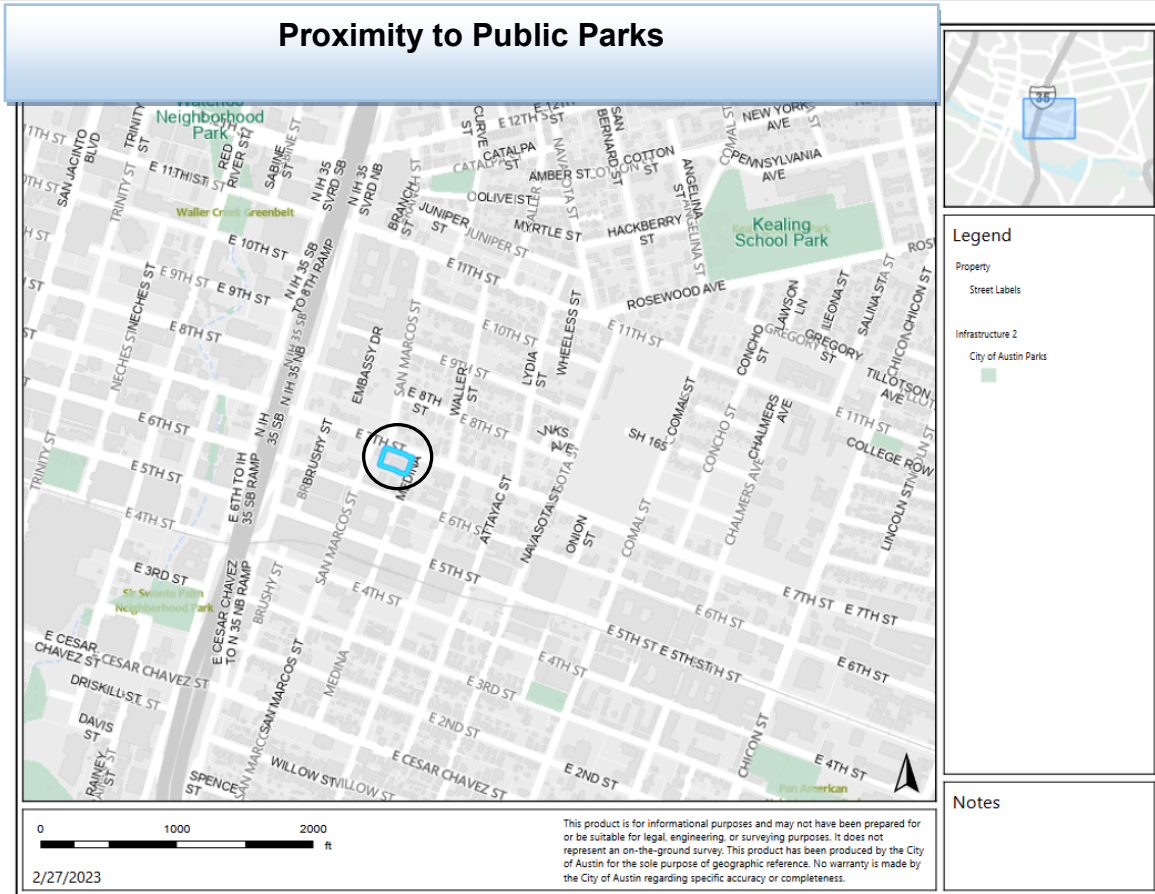
1. Plaza Saltillo TOD Station Area Plan
2. Martin Luther King (MLK) Boulevard TOD Station Area Plan
3. Lamar/Justin TOD Station Area Plan

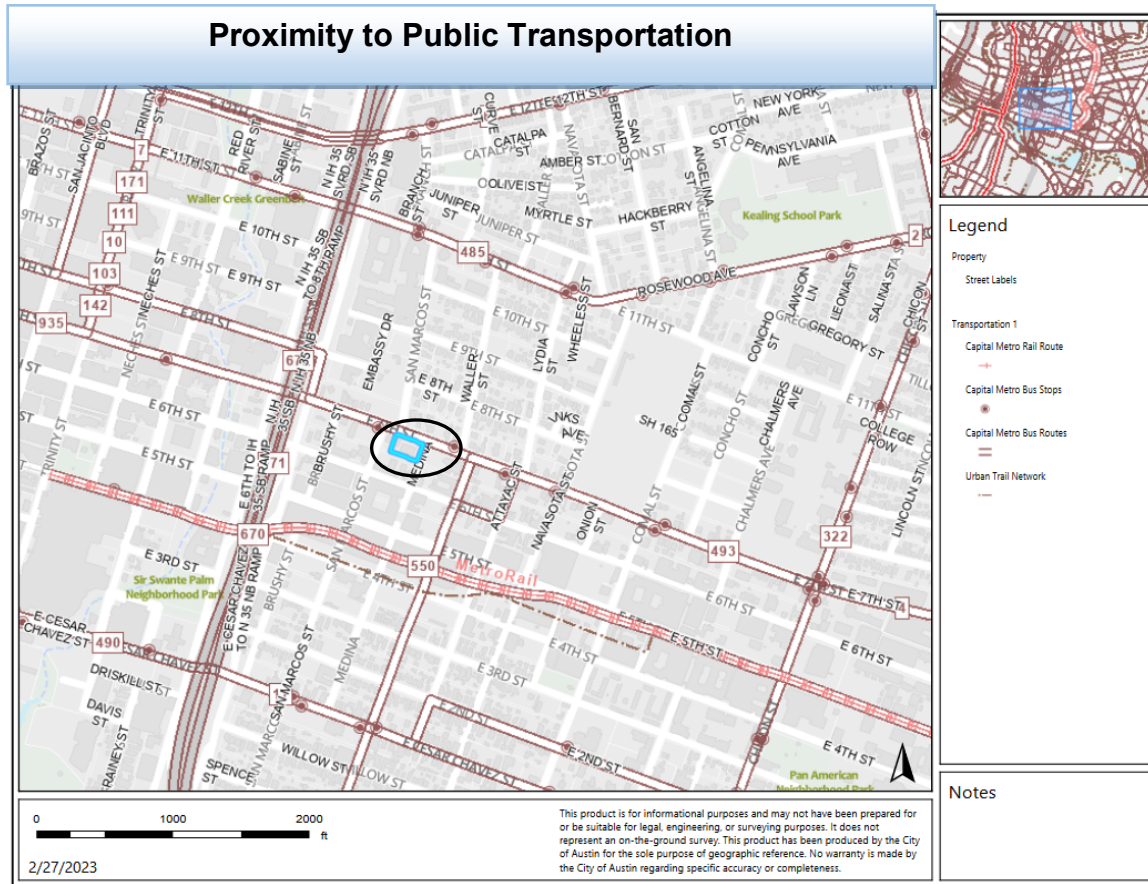
Yes	Imagine Austin Decision Guidelines
<b>Complete Community Measures</b>	
Yes	<b>Imagine Austin Growth Concept Map:</b> Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. <b>Name(s) of Activity Center/Activity Corridor/Job Center:</b> <ul style="list-style-type: none"> <li>Property is within the Plaza Saltillo Neighborhood Center</li> <li>Property has frontage along E. 7<sup>th</sup> Street which is an activity corridor</li> </ul>
Yes	<b>Mobility and Public Transit:</b> Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> <li><b>Plaza Saltillo Station 0.5 miles</b></li> <li>Bus routes on E. 7<sup>th</sup> Street and along IH-35 frontage road</li> </ul>
Yes	<b>Mobility and Bike/Ped Access:</b> Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> <li>Sidewalks along E. 7<sup>th</sup> Street</li> </ul>
Yes	<b>Connectivity, Good and Services, Employment:</b> Provides or is located within 0.50 miles to goods and services, and/or employment center.
Yes	<b>Connectivity and Food Access:</b> Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> <li>Whole Foods is 0.2 miles from property</li> <li>Target is 0.2 miles from property</li> <li>Green and White Grocery Store is 0.1 miles</li> </ul>
	<b>Connectivity and Education:</b> Located within 0.50 miles from a public school or university. <ul style="list-style-type: none"> <li>Blackshear Elementary 0.7 miles</li> </ul>
Yes	<b>Connectivity and Healthy Living:</b> Provides or is located within 0.50 miles from a recreation area, park or walking trail. <ul style="list-style-type: none"> <li>Plaza Saltillo Station 0.5 miles</li> <li>Comal Pocket Park 0.6 miles</li> <li>Pan Am Park 1.1</li> </ul>
	<b>Connectivity and Health:</b> 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"> <li>Dell Seton Medical Center 1.1 miles</li> </ul>
Yes	<b>Housing Affordability:</b> Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing. <ul style="list-style-type: none"> <li>Proposed 145 MF units with 10% of the units at 60% MFI</li> </ul>
Yes	<b>Housing Choice:</b> 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. <ul style="list-style-type: none"> <li>Proposed 145 MF units</li> </ul>
	<b>Mixed use:</b> Provides a mix of residential and non-industrial uses.
	<b>Culture and Creative Economy:</b> Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	<b>Culture and Historic Preservation:</b> Preserves or enhances a historically and/or culturally significant site.
	<b>Creative Economy:</b> Expands Austin's creative economy (ex: live music venue, art studio, film, digital, theater.)
	<b>Workforce Development, the Economy and Education:</b> Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	<b>Industrial Land:</b> Preserves or enhances industrial land.
8	<b>Number of "Yes's"</b>
<b>Imagine Austin Priority Program PUD Specific Bonus Features</b>	
n/a	<b>Public Space Features and Public Art:</b> Incorporates public space features and/or public art into project (Ex: plazas, streetscapes, gardens, and other people-friendly spaces where different ages can socially interact).
n/a	<b>Integrates and/or Expands Green Infrastructure:</b> Preserves or expands Austin's green infrastructure (ex: parkland, community gardens, green streets, creeks, stormwater features that mimic natural hydrology) into the urban environment and transportation network.
n/a	<b>Protects the Environment:</b> Reduces greenhouse gas emissions, water, energy usage, and/or increases waste diversion.
n/a	<b>Protects Environmentally Sensitive Lands:</b> Protects Austin's natural resources and environmental systems



	by limiting land use and transportation development over or near environmentally sensitive areas, preserves open space, and protects natural resources more than ordinance requirements.
n/a	<b>Water/Wastewater Infrastructure:</b> Sustainably manages Austin's water resources and stream corridors through on-site use of storm water, effective landscaping, flood mitigation, and other low-impact development techniques more than ordinance requirements.
n/a	<b>Total Number of "Yes's"</b>







## IMAGINE AUSTIN GROWTH CONCEPT MAP

### Definitions

**Neighborhood Centers** - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

**Town Centers** - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

**Regional Centers** - Regional centers are the most urban places in the region. These centers are and will become the retail, cultural, recreational, and entertainment destinations for Central Texas. These are the places where the greatest density of people and jobs and the tallest buildings in the region will be located. Housing in regional centers will mostly consist of low to high-rise apartments, mixed use buildings, row houses, and townhouses. However, other housing types, such as single-family units, may be included depending on the location and character of the center. The densities, buildings heights, and overall character of a center will depend on its location.

**Activity Centers for Redevelopment in Sensitive Environmental Areas** - Five centers are located over the recharge or contributing zones of the Barton Springs Zone of the Edwards Aquifer or within water-supply watersheds. These centers are located on already developed areas and, in some instances, provide opportunities to address long-standing water quality issues and provide walkable areas in and near existing neighborhoods. State-of-the-art development practices will be required of any redevelopment to improve stormwater retention and the water quality flowing into the aquifer or other drinking water sources. These centers should also be carefully evaluated to fit within their infrastructural and environmental context.

**Job Centers** - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

**Corridors** - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment

opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

**BACKGROUND:** The plan amendment application was filed on July 16, 2022, which is in cycle for neighborhood planning areas located on the east side of IH-35.

The applicant proposes to change the base maximum building height from 60 feet to 90 feet to build approximately 145 multifamily dwelling units.

For more information on the proposed zoning, see case report C14-2022-0149.

**PUBLIC MEETINGS:** The ordinance-required community meeting was virtually held on October 19, 2022. Approximately 757 meeting notices were mailed to people who rent or own property within 500 feet of the subject tracts. Two staff members from the Housing and Planning Department attended the meeting, Maureen Meredith and Kathleen Fox. The applicant's agent, Kelly Wright from Armbrust and Brown attended in addition to five people from the neighborhood.

Kelly Wright provided the following information. Her PowerPoint presentation is included in this report:

- The two tracts are approximately 0.65 acres comprised of two office buildings that has approximately 12,500 square feet of existing office use.
- Property has frontage on E. 7<sup>th</sup> Street, which is a core transit corridor.
- Current zoning is TOD-NP and is designated a Corridor Mixed Use Subdistrict.
- Property is located in the Central East Austin Neighborhood Plan and the Plaza Saltillo TOD Station area plan and regulating plan.
- Our request is to increase the base height to allow for 90 feet.
- The NPA application would amend the Station Area plan and the zoning case would amend the regulating plan.
- The proposed development is a 145-unit multifamily development. We are asking for 90 feet in height in order to do this we will have to enter into the TOD density bonus, which will allow this property to exceed the maximum density otherwise allowed in the TOD and will allow us to exceed the floor-area-ratio requirement of 2:1.
- In order to do that density, we will have to provide 10% of the rental units at 60% MFI.

***Q: Our neighborhood is opposed to the property going up to 90 feet. You said in your presentation that the properties can go to 60 feet, but on E. 7<sup>th</sup> Street they are about 35***

*feet, so I'm not sure where you got those numbers. We are with GAIN (Guadalupe Association for Improved Neighborhoods).*

A: I will reach out to you and we can discuss your concerns further.

*Q: I'm familiar with the Plaza Saltillo TOD and there is no density bonus allowed on the property. What you are asking for is change the zoning to go from maximum 60 feet to maximum 90 feet and exchange will provide 10% of the units at 60% MFI, assuming it's for 40 years. The developer could get 90 feet of height by using Affordability Unlocked but would require 50%, not 10%, of the units to be provided at 60% MFI and it would waive the FAR and you would not need a zoning change. I'm very familiar with the TOD and you cannot get 90 feet through the density bonus program. What you are asking for is change in zoning to go from maximum 60 feet to a maximum 90 feet in height. There is no density bonus on the 60 feet height. I am adamantly opposed.*

A: I'm more than happy to continue dialog with you, but the density bonus I spoke of is in the TOD Section 4.3.2. All we're asking for is the base height to be increase, but the way we get the density increase is through the density bonus program.

*Q: Do you know who the architect will be?*

A: Yes, we do, it's Mark Hart Architecture, but we do not have any concept plans at this time. We are in the early stages.

*Q: Do you know the unit mix and if it will be a senior project?*

A: There will be approximately 145 units, but we don't have unit mix at this time. I'll have to get back you to on that. It will not be a senior project.

*Q: Are you asking for reduction in parking?*

A: Not that I'm aware of.

*Q: Will the client be developer?*

A: CIM Group is the property owners of both sites and will be the developer. They are based out of Los Angeles but they have done a lot of projects in Austin.

*Q: What will the developer offer benefits he community?*

A: We are providing 10% of units at 60% MFI and this would not be required if we did not ask for the density bonus.

*Q: How long will it take to develop?*

A: I do not know the precise amount of time the construction would take and we are in the early stages.

*Q: Once under construction, the neighborhood will be affected. This is one of my concerns.*

A: I'm happy to talk to the engineer or architect, but that is done at the site plan stage.



**ARMBRUST & BROWN, PLLC**

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300

FACSIMILE 512-435-2360

Richard T. Suttle, Jr.  
(512) 435-2310  
rsuttle@ablaw.com

July 25, 2022

Rosie Truelove  
Director, Housing & Planning Department  
City of Austin  
1000 E. 11th Street, Suite 200  
Austin, Texas 78702

Re: Neighborhood Plan Amendment application for property located at 1007 and 1021 E. 7<sup>th</sup> Street, Austin, Texas, 78702, also known as TCAD Parcel Nos. 0206050802 and 0206050814 (the "Application")

Dear Ms. Truelove:

This letter, along with the Application is submitted to amend the Plaza Saltillo TOD Station Area Plan (the "SAP") for property located at 1007 and 1021 E. 7<sup>th</sup> Street (the "Property").

The Property is approximately ±0.6546 acres and is zoned Transit Oriented Development - Neighborhood Plan Combining District ("TOD-NP") by Ordinance 20081211-082. The Property is situated in the Central East Austin Neighborhood Plan Area and is currently developed with office uses. The proposed project will consist of a multi-family development (the "Project").

The purpose of this Application is to request that the Base Maximum Building Height Map located on Page 39 of the SAP be amended to allow a base maximum building height of 90-ft. No change to the Future Land Use Map (FLUM) is proposed with this Application. A zoning application will also be submitted at a later date to amend the Regulating Plan to the Plaza Saltillo TOD (the "Regulating Plan") to allow for a base maximum building height of 90-ft for this site. A copy of the Base Maximum Building Height Map is provided with this letter showing the requested increase in height for the Property.

Thank you in advance for your time and consideration of this Application. If you have any questions, comments, or need additional information, please do not hesitate to contact me at (512) 435-2310 or Kelly Wright at (512) 435-2364.

{W1166226.1}



ARMBRUST & BROWN, PLLC  
Page 2

Very truly yours,

ARMBRUST & BROWN, PLLC



Richard T. Suttle, Jr.

cc: Jerry Rusthoven  
Maureen Meredith

{W1166226.1}

**Letter of Recommendation from the Neighborhood  
Plan Contact Team (NPCT)**

(No letter as of April 28, 2023)

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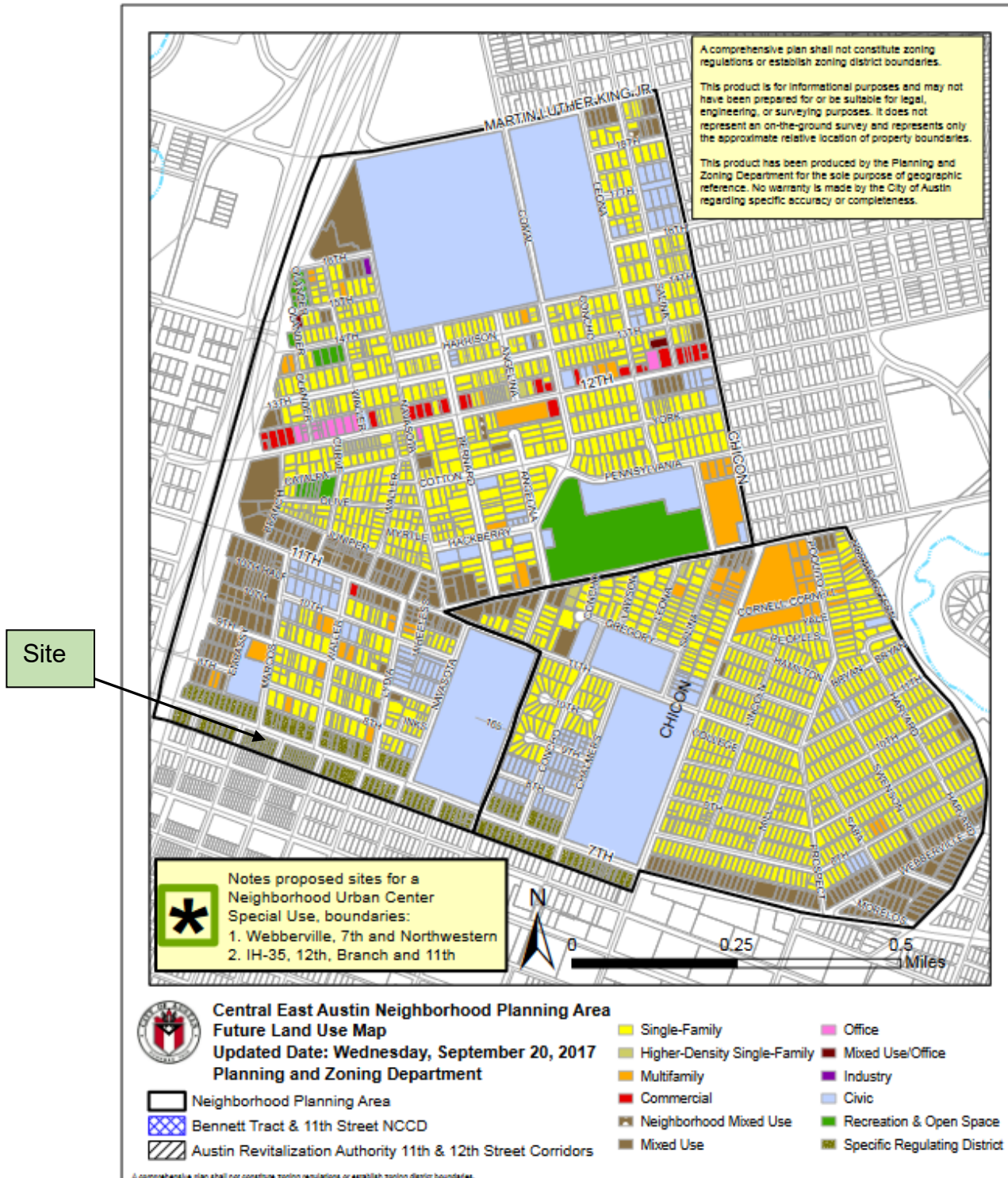
**From:** Meredith, Maureen  
**Sent:** Monday, February 27, 2023 4:47 PM  
**Cc:** Kelly Wright <KWright@abaustin.com>; Chaffin, Heather  
<Heather.Chaffin@austintexas.gov>; Benner, Sophia  
<Sophia.Benner@austintexas.gov>  
**Subject:** Central East NPCT Rec: NPA-2022-0009.01\_1007 E. 7th Street  
**Importance:** High

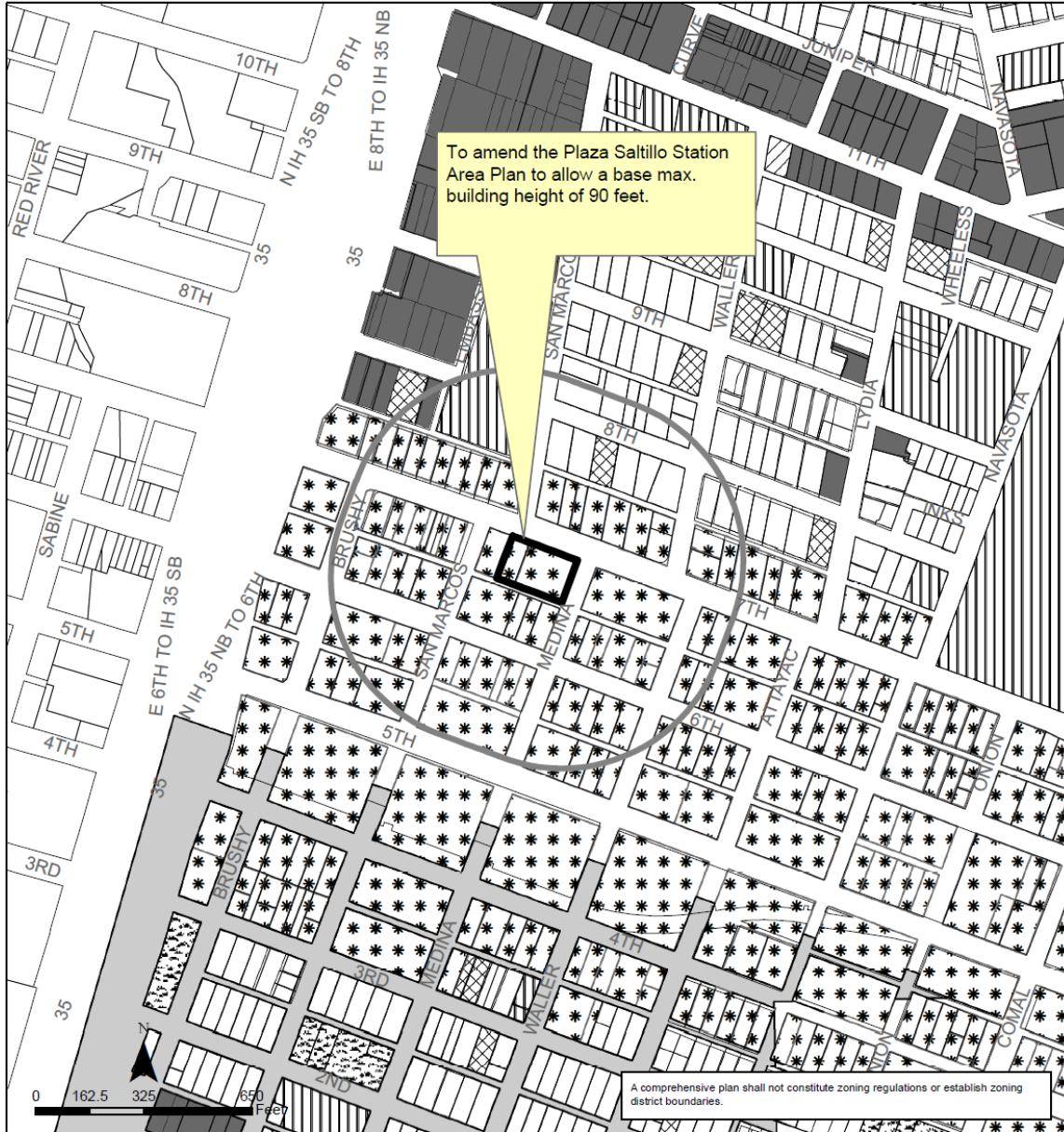
Dear Central East Austin NPCT and Interested Parties:

**NPA-2022-0009.01 and C14-2022-0149\_1007 and 1021 E. 7<sup>th</sup> Street** cases will be on the March 14, 2023 Planning Commission agenda. We are not 100% sure at this time if the cases will be ready for PC action on that date, but if they are and you would like to provide a NPCT recommendation to be included in the staff case reports, please email it me **no later than Tuesday, March 7, 2023 by 4:30 pm** which is when staff reports are due. If we receive it after that date and time, we will submit it as late material to the Planning Commissioners.

BTW: I will be out of the office from March 1 – March 17; however, I will periodically check my emails and respond to them as needed.

Thanks.  
Maureen





## Central East Austin Neighborhood Planning Area NPA-2022-0009.01

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 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.



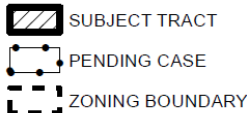
City of Austin  
Housing and Planning Department  
Created on 8/22/2022, by: MeeksS

### Future Land Use

Subject Tract	Multi-Family
500 ft. notif. boundary	Recreation & Open Space
Civic	Single-Family
Commercial	Specific Regulating District
Mixed Use	Transportation

1074





ZONING CASE#: C14-2022-0149



**Created: 10/19/2022**

## BASE MAXIMUM BUILDING HEIGHTS



### LEGEND

- 35 FEET
- 40 FEET
- 60 FEET

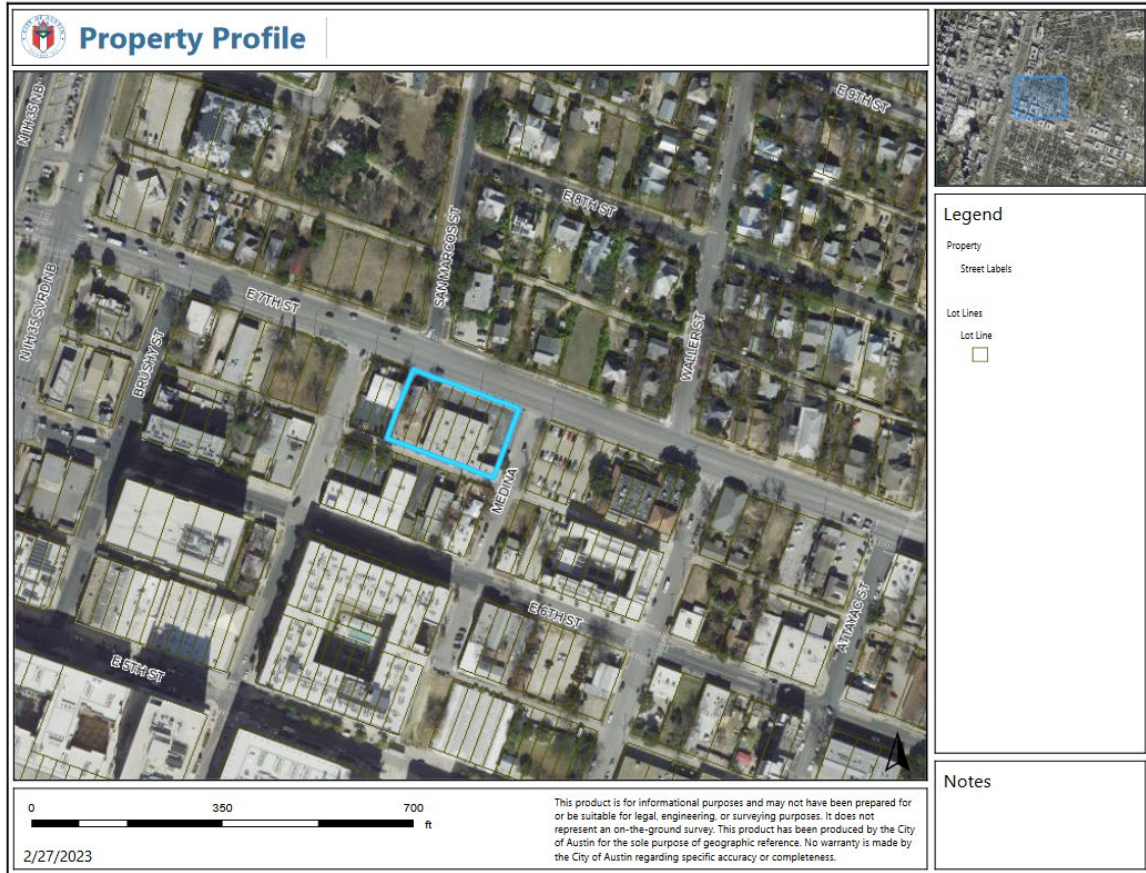
- PLAZA SALTILLO
- TOD DISTRICT BOUNDARY
- METRO RAIL STATION

0 200 400 800 FEET

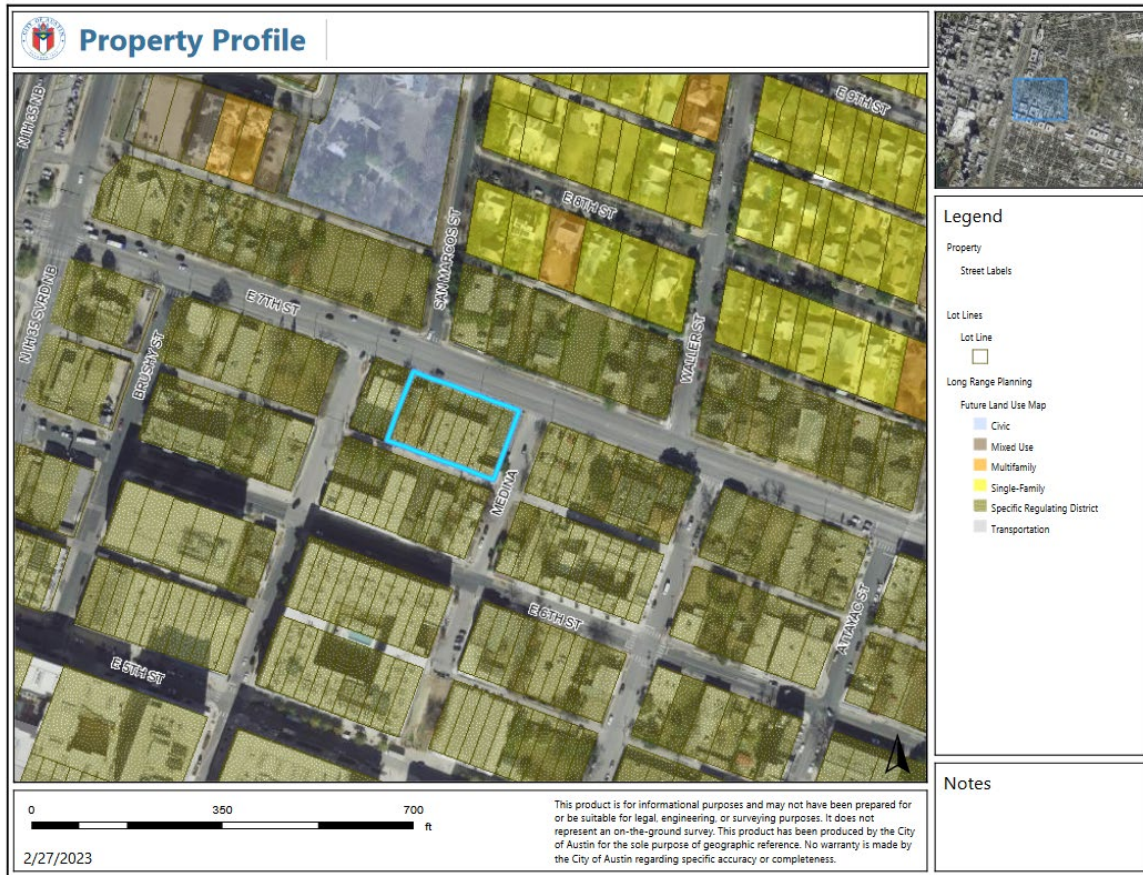


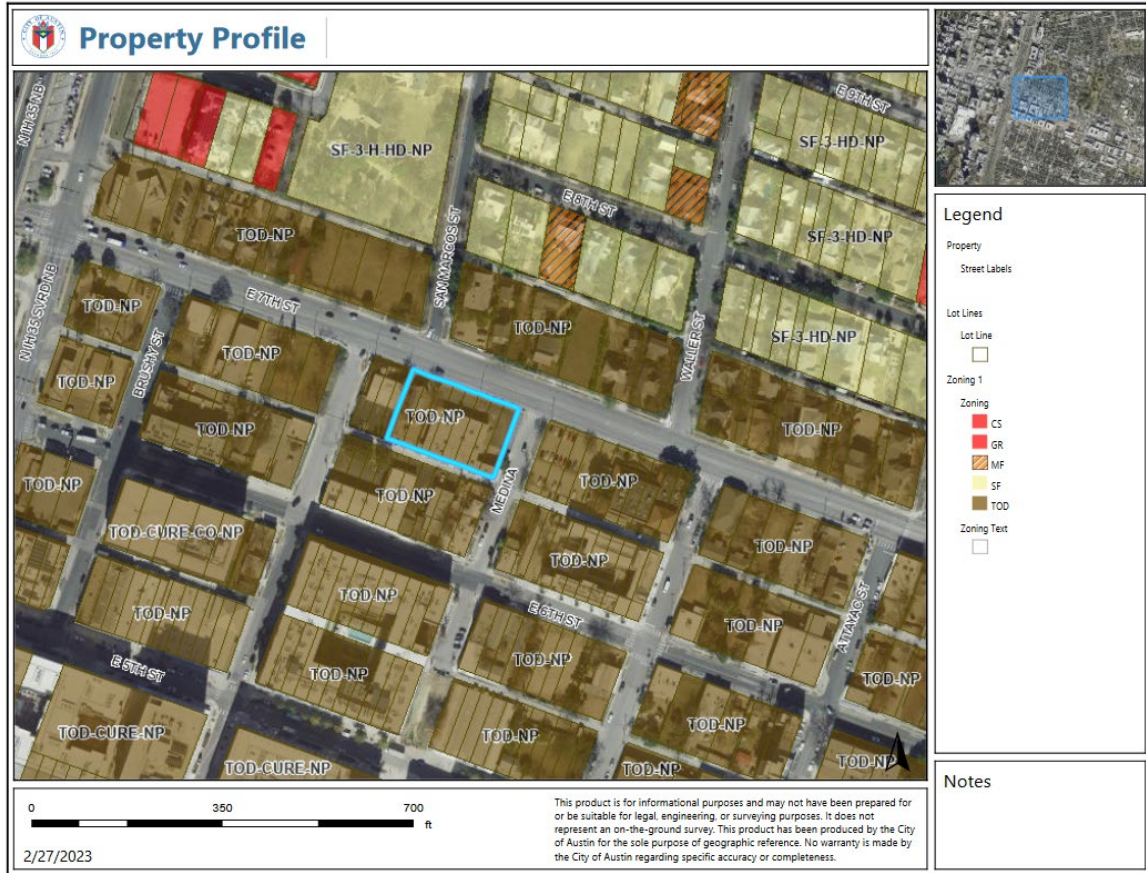
## TRANSIT ORIENTED DEVELOPMENT STATION AREA PLANNING













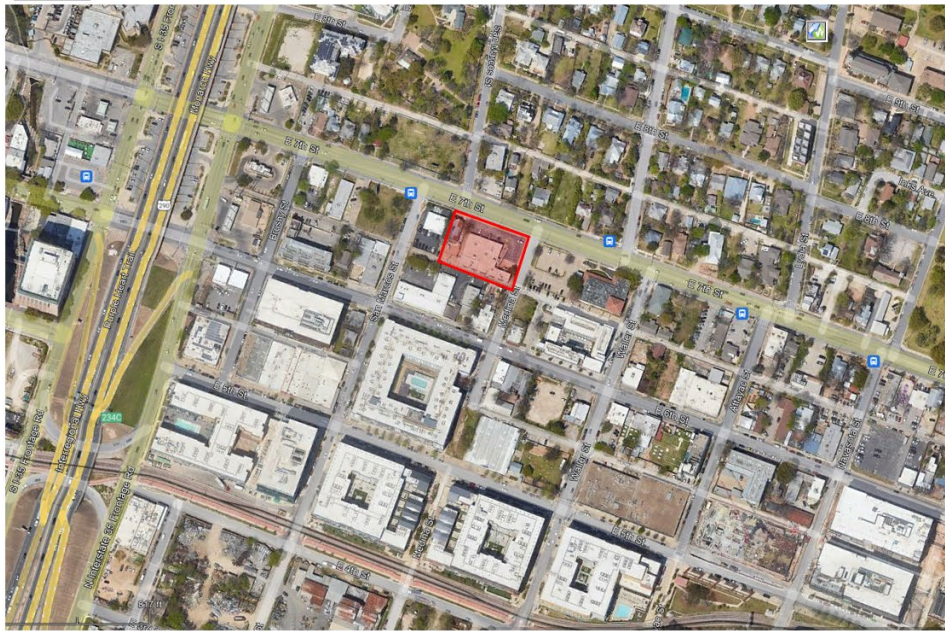
**Agent's Presentation at the Oct. 19, 2022 Virtual  
Community Meeting**

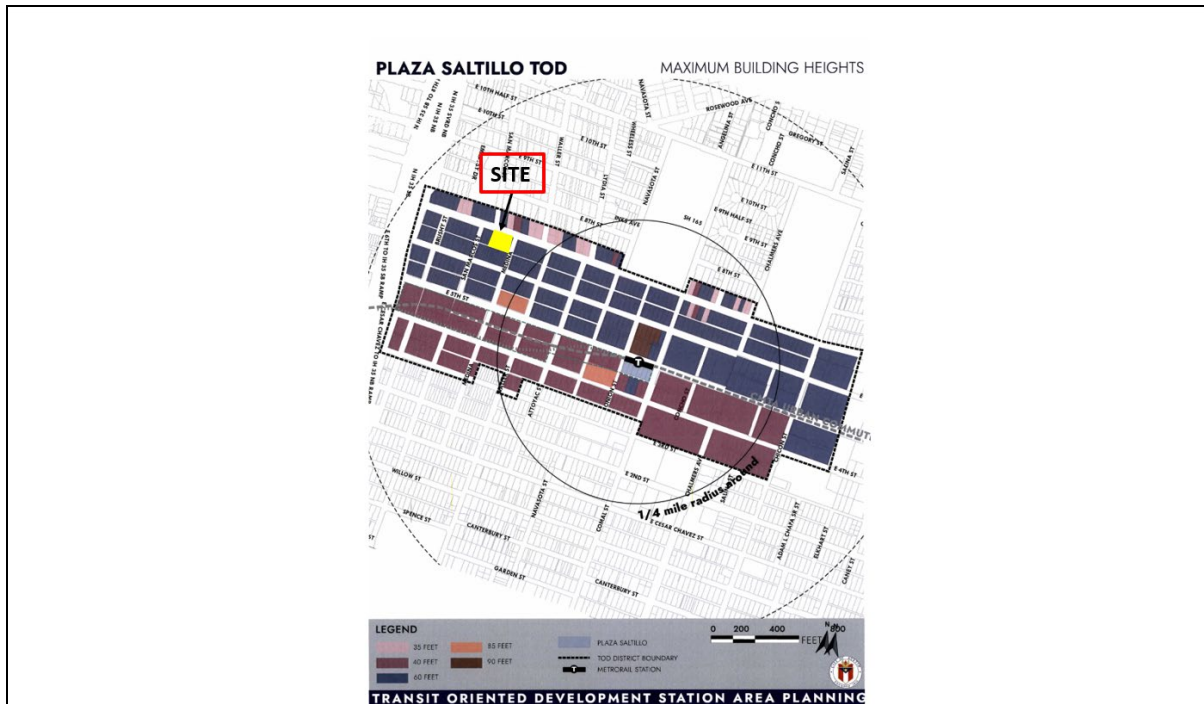
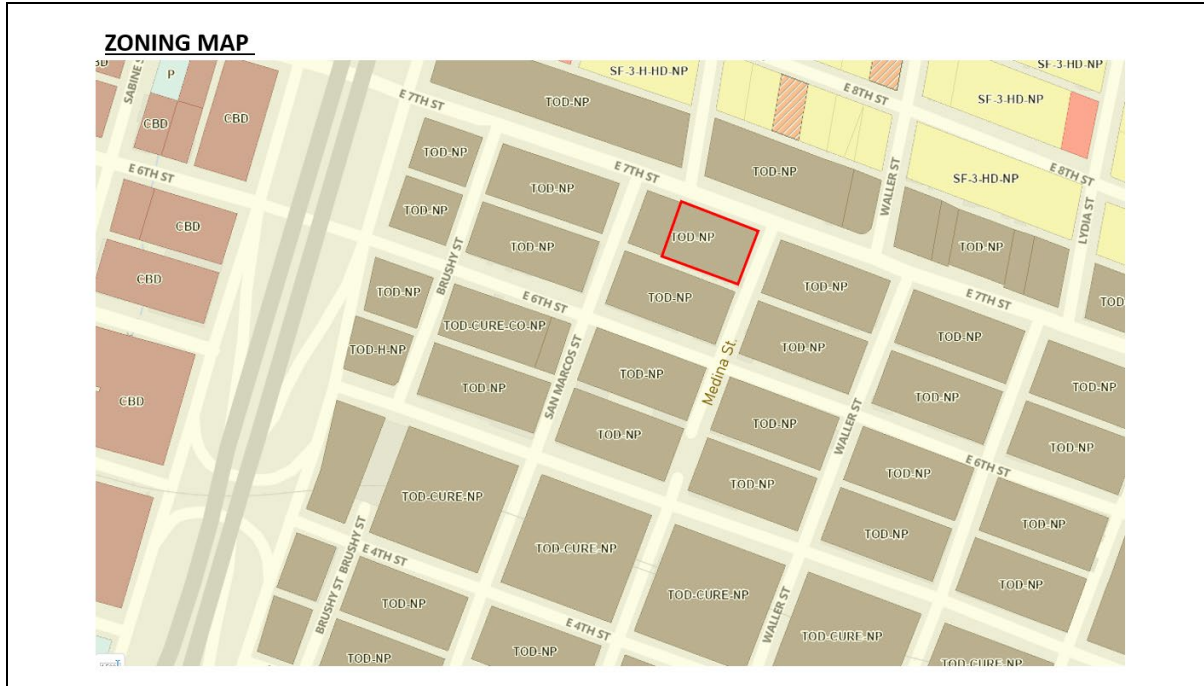
**1007 & 1021 E. 7<sup>th</sup> Street**

**Neighborhood Plan Amendment  
Case No. NPA-2022-0009.01**

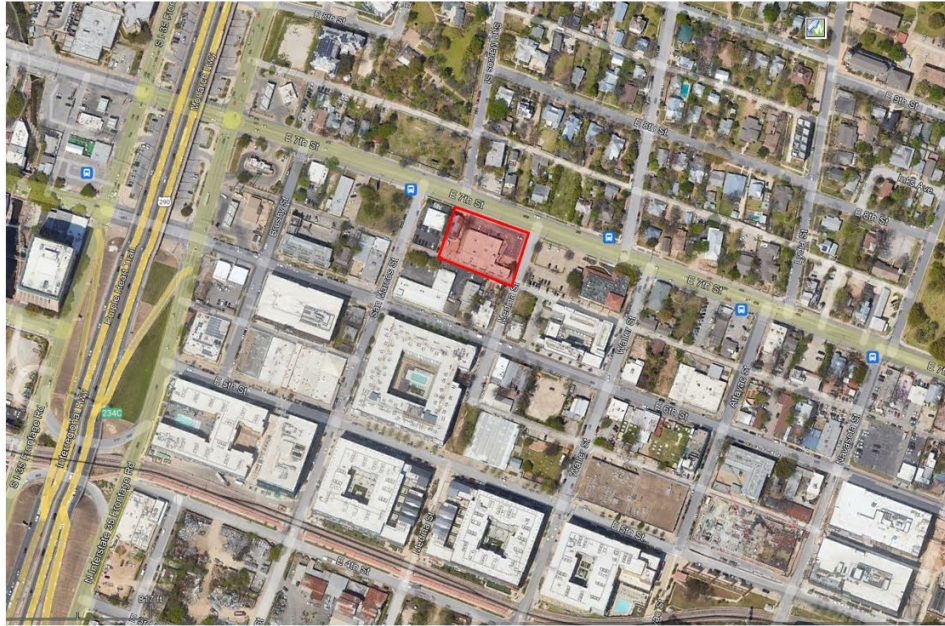
**Zoning Case No. C14-2022-0149**

**AERIAL**





**AERIAL**





## Correspondence Received

## PUBLIC HEARING COMMENT FORM

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

City of Austin  
Housing and Planning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2022-0009.01

Contact: Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov

Public Hearing: Jan 10, 2023 - Planning Commission

☐ I am in favor  
☒ I object

Your Name (please print)  
Ray Saeng

Your address(es) affected by this application  
800 Embassy Dr

12/30/22

Date

Signature

Comments: Would negatively impact  
value of all surrounding  
properties.

## PUBLIC HEARING COMMENT FORM

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City of Austin  
Housing and Planning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: NPA-2022-0009.01

Contact: Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov

Public Hearing: Jan 10, 2023 - Planning Commission

☐ I am in favor  
☒ I object

Your Name (please print)  
Marion Sanchez 1715 E 7th

Your address(es) affected by this application  
10028 E Papa Charlie

Jan 13/2023

Date

Signature

Comments:

P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

**Case Number:** NPA-2022-0009.01  
**Contact:** Maureen Meredith, 512-974-2695 or Maureen.Meredith@austintexas.gov  
**Public Hearing:** Jan 10, 2023 - Planning Commission

☒ I am in favor  
☐ I object

Chris Curtis  
Your Name (please print)

800 Embassy Dr. 306  
Your address(es) affected by this application

Chris Curtis 12-29-22  
Signature Date

Comments: We need to increase the density of  
our city.



**From:** Mark Rogers  
**Sent:** Tuesday, March 7, 2023 4:15 PM  
**To:** Meredith, Maureen <Maureen.Meredith@austintexas.gov>  
**Subject:** GAIN Letter NPA-2022-0009.01

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

Good Afternoon Ms. Meredith,

I have attached a letter from the Guadalupe Association for an Improved Neighborhood- GAIN in opposition to the request to amend the Plaza Saltillo Station Area Plan to allow a base maximum building height of 90 feet. Our long-time residents and property owners know all too well that Austin is suffering from an affordable housing crisis. The request in question does nothing meaningful to address that fact.

The request proposes to provide 10% of the total square footage of the development in exchange for a 50% increase over the current base maximum height of 60 feet while also applying the waiver of the FAR to the building. A waiver of FAR currently is all that is provided by the station area plan when, as is the case here, the allowed maximum height is already 60 feet.

A 90-foot tall building with no limit on the FAR could very easily result in a big box structure that is both out of scale and far more massive than anything in the area and anything envisioned by skilled planners. The fact that the applicant is offering ***absolutely nothing at all more than the minimum*** 10% of square footage in exchange for all the additional building (all the additional income) that would result from this request is seriously disappointing.

GAIN recommends that if the applicant offers nothing more appreciable than 10% of the square footage as affordable housing, the Planning Commission should abide by the current provisions in the station area plan, waiving FAR while maintaining the 60 foot maximum height. Additionally, additional height should be restricted to residential development because it is only by doing so that we will get even a small amount of affordable housing in the TOD. Similarly, short term rentals should be prohibited if density and/or height bonuses are recommended. They eliminate much needed housing.

Finally, should the Commission recommend additional height and unlimited FAR, it should seriously consider some design requirements similar, for example, to those in the East Riverside Corridor Plan.

--

Mark C. Rogers, Secretary  
Guadalupe Association Neighborhood Development Corporation

813 East 8th Street, Austin Texas 78702  
512-479-6275 ext. 6  
[www.guadalupendc.org](http://www.guadalupendc.org)

**Guadalupe Association for an Improved Neighborhood - G.A.I.N.**  
1111 East 8th Street - Austin, Texas 78702

March 7, 2023

Re: GAIN Position Regarding NPA-2022-0009.01, 1007 & 1021 E. 7<sup>th</sup> Street

Dear Planning Commissioners:

Members of the Guadalupe Association for an Improved Neighborhood (GAIN) are opposed to the request to allow a base maximum building height of 90 feet on the subject tract without conditions. We are experiencing pressures imposed by Austin's incredible growth. Many of our long-time residents have been displaced by rising rents and property taxes. Our small historic community is increasingly surrounded by taller, more massive structures as density and height bonuses are given away to accommodate the overwhelming influx of higher income residents. ***There is no doubt that more housing does not result in affordability. Our crisis is a lack of affordable housing, not a lack of housing.***

The request for 1007 and 1021 E. 7th Street fits the pattern of offering very little in exchange for much more than the existing zoning entitlements allow. The request to waive FAR and change the maximum base height from 60' to 90' in exchange for 10% of the square footage as affordable housing is disheartening. It is a status quo request that downplays our real crisis, discards thoughtful planning, and ignores good design principles. The current zoning requires the developer to provide only 10% of the development as affordable housing to get the 2:1 FAR waived entirely giving them a more massive building while still keeping the maximum height at 60'. That may, in fact, be a reasonable exchange. But jumping from 60' to 90', with unlimited FAR, while requiring no additional affordable housing or community benefits and no mitigating design features, would be thoughtless acquiescence to a developer's wishes. It would ignore what Austin needs—affordable housing and decent planning.

GAIN representatives met on two occasions with the representatives for the property owners and have the following recommendations and considerations:

- **Consider Affordability Unlocked:** We have an affordable housing crisis. Affordability Unlocked (AU) provides density and height bonuses matching those being requested. However, it does so in exchange for a meaningful percentage of affordable housing. AU allows a 50% increase in height and waives FAR limits, *exactly what this case is requesting, but requires 50% of the units to be affordable; not 10%.* For entitlements that allow a massive (waived FAR) 90' tall building, our city should seek a way to make AU work. For 10% as affordable housing, keep the height at 60 feet.
- **Increase the Affordable Housing requirement.** GAIN members recognize that increased height is likely in this case. Yet a requirement of 10% affordable housing is woefully inadequate. ***Any increase in height above 60' absolutely should come with a meaningful increase in the***

Case NPA-2022-0009.01, 1007 & 1021 E. 7<sup>th</sup> Street – page 2

**percentage of affordable housing.** Endeavor provided 15% of the square footage as affordable elsewhere in the TOD **with a height limit of 68 feet.** It is feasible. The developer should be required to provide *at least* 25% of the square footage as affordable housing in exchange for a height increase to 90' and a waiver of FAR. Allowing less ignores the affordable housing crisis Austin is facing and actually would exacerbates the problem.

- **Require good design principles similar to the ERC Plan.** Redevelopment plans were adopted for transportation corridors that are similar to E. 7<sup>th</sup> Street with thoughtful design principles. These design requirements help avoid a proliferation of “big box” structures. Allowing unprecedented height together with a waiver of FAR is a recipe to transform our transit corridors into inhospitable canyons of concrete, glass and steel. **The East Riverside Corridor Plan (ERC) includes Upper-Story Building Façade Street-Side Step-backs** at the 4<sup>th</sup> story and above. A step-back of 15' at the 4<sup>th</sup> story and above would be appropriate along E. 7<sup>th</sup> Street. Height and Use Building Form standards, similar to the ERC Plan, are needed along East 7<sup>th</sup> Street.
- **Prohibit or severely limit STRs.** We know that more housing does not bring affordability, yet even trying to accommodate growth with more housing when the units can be converted to short term rentals is like trying to fill a bucket with water when it has holes in it. Prohibit STRs when granting height and density bonuses to housing developments.
- **Grant the height and density bonus only for a residential development.** We understand that as Austin continues to grow, we need more housing. We understand that development in and near TODs are often well-suited for more density. However, nearly all of the recent zoning changes that increased the maximum allowable height and waived FAR in the Saltillo TOD have been for office development. Make the increase in height and waiver of FAR available only for residential projects.

Sincerely,



H. Michael Guajardo, President

# PUBLIC HEARING COMMENT FORM

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

City of Austin  
Housing and Planning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2022-0009.01  
Contact: Maureen Meredith, 512-974-2695 or at  
Maureen.Meredith@austintexas.gov  
Public Hearing: Mar 14, 2023 - Planning Commission

*Michael Guadardo*

Your Name (please print)

*1111 E. 8th St. Austin TX 78702*

Your address(es) affected by this application

*Michael Guadardo 03-09-2023*

Signature

Date

Comments:

*As part of our neighborhood I objied strongly to the request for part of additional height requested by the developer. Too much for the DeLeon. for little room on neighborhood.*

☐ I am in favor  
☒ I am not

# PUBLIC HEARING COMMENT FORM

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Contact: Maureen Meredith, 512-974-2695 or at

Maureen.Meredith@austintexas.gov

Public Hearing: Mar 14, 2023 - Planning Commission

☐ I am in favor  
☒ I object

Marion Sanchez  
Your Name (please print)

1008 East Dean Chavez Street 1715 E. 7th Street  
1008 East Dean Chavez Street  
Your address(es) affected by this application

Maureen Meredith  
Signature

March 13, 2023  
Date

Comments:

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Case Number: NPA-2022-0009.01  
Contact: Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov  
Public Hearing: Apr 20, 2023 - City Council

☒ I am in favor  
☐ I object

Chris Curtis  
Your Name (please print)

800 Embassy Dr. 306, Austin, TX 78702  
Your address(es) affected by this application

Chris Curtis  
Signature

4-5-23  
Date

Comments: We need to increase density for  
affordability and add more amenities to the  
neighborhood

# PUBLIC HEARING COMMENT FORM

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Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

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Case Number: NPA-2022-0009.01  
Contact: Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov  
Public Hearing: Apr 20, 2023 - City Council

☐ I am in favor  
☒ I object

John Plyler

Your Name (please print)

1022 E. 7th Austin Tx 78702

Your address(es) affected by this application

John Plyler 3-8-2023

Signature

Date

Comments: Your Extra 30 Ft. Will  
Cast AN EVEN EARLIER SHADOW  
OVER OUR HOME, THAT IS AN  
UNACCEPTABLE threat of a natural  
resource. Seems we were just  
not important ~~to~~ to consider  
the consequences of your desire to  
go taller.

# PUBLIC HEARING COMMENT FORM

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

City of Austin  
Housing and Planning Department  
Maureen Meredith  
P. O. Box 1088  
Austin, TX 78767-8810

If you do not use this form to submit your comments, you must include the name of the body conducting the public hearing, its scheduled date, the Case Number and the contact person listed on the notice in your submission.

Case Number: NPA-2022-0009.01  
Contact: Maureen Meredith, 512-974-2695 or  
Maureen.Meredith@austintexas.gov  
Public Hearing: Apr 20, 2023 - City Council

☐ I am in favor  
☒ I object

2023 5/9/23

Your Name (please print)

2023 5/9/23

Your address(es) affected by this application

4/9/23

Signature

Date

Comments:

Will drive down value of all  
surrounding properties