



**RECA**

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OF AUSTIN

August 20, 2013

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The Honorable Lee Leffingwell, Mayor of Austin  
and Members of the Austin City Council  
301 W. 2<sup>nd</sup> Street, 3rd Floor  
Austin, TX 78701

RE: Item #122 (8/22/13 Agenda) Related to Noise Mitigation for Group R Structures

Dear Mayor Leffingwell and Members of the City Council:

Downtown stakeholders, including The Real Estate Council of Austin (RECA), have been meeting during the course of the last year in response to the Austin City Council resolution regarding sound mitigation. As you know, downtown music and related noise have given rise to complaints of disruption and interrupted sleep from some residents and hotel guests. RECA wishes to share with you feedback regarding the proposal (below) that City staff presented to boards and commissions and now this body.

A new Section 2410 would be added to City Code Section 25-12-3 (Local Amendments to the Building Code) to read:

**2410.1 Glazing on Group R buildings above 5 stories in height.**

Glazing exposed to the exterior and used as part of a curtain wall assembly, window or guardrail located on buildings that are over 5 stories in height must be laminated with two or more glass plies of equal thickness and the same glass type on all floors where Group R occupancies are located. Laminated glass shall comply with Category II of CPSC 16 CFR Part 1201 or Class A of ANSI Z97.1.

**2410.2 Loads.** The panels shall be designed to withstand the loads and comply with the requirements of Section 2404 (*WIND, SNOW, SEISMIC AND DEAD LOADS ON GLASS*).

**RECA advocates that the City Council vote against this code amendment.**

Of the boards and commissions that considered this amendment, only the Music Commission voted unanimously in support of it. The Building and Fire Code Board of Appeals, the body charged with making a recommendation to you, could not reach majority support for this proposal after two discussions at two separate meetings. The reason is simple: a "one size fits all" approach to mitigating sound is not an appropriate policy. Sound is extremely complicated and each site has unique considerations when it comes to accounting for noise disturbance. Projects throughout

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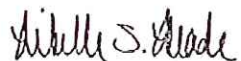
Austin have successfully mitigated against noise disturbance in various ways, as it is always in a developer's interest to make adjustments for the marketability of a project. Additional code regulation will make development in downtown Austin more challenging than it already is, thus thwarting the goal of increased density and livability as described in the Imagine Austin Comprehensive Plan for this part of Austin.

**While RECA had originally advocated for a working group to present recommendations to Council, we regret that we do not think a better solution exists if the goal is a "one size fits all" approach in the building code.** Through ongoing conversations within our organization and with other groups, we failed to come up with one building code solution that would uniformly address the challenge while not substantially driving up costs. Staff has done its job in preparing this recommendation, but as a Council you will have to determine if the costs of this policy proposal, approximately 1-3%, outweigh the benefits, which even staff acknowledges may not be as far reaching as desired.

**RECA is committed to live music in Austin, Texas, as demonstrated by our organization's and members' philanthropy and community involvement.** To the end that we want to see live music thrive, RECA supports the expansion of the Music Venue Assistance Program (Item #16, 8/22/13 agenda), which will provide loans to venues to make sound mitigation improvements.

Thank you for your consideration of these comments and the request to vote against the code amendment. Should you have any questions, please do not hesitate to contact RECA staff member Annie Armbrust at 512-320-4151 or [aarmbrust@recaonline.com](mailto:aarmbrust@recaonline.com).

Sincerely,



Nikelle Meade  
President