



CDC
Rec.

COMMUNITY DEVELOPMENT COMMISSION RECOMMENDATION 20130820-06a

Date: August 20, 2013

Subject: PUD Amendments Recommendations

Motioned By: Commissioner Mueller

Seconded By: Commissioner Langley

Recommendation

Approve staff recommendations with additional comments

Description of Recommendation to Council

The CDC supports staff recommendations with the following additional comments:

- To promote affordable housing opportunities for lower income people throughout Austin, the CDC strongly supports including affordability benefits on site over in-lieu fees. The CDC notes that 10 percent of the 247 housing units being built under VMU are affordable. In contrast to the units in VMU with programs with in-lieu fees, as shown in the attached chart prepared by NHCD;
- Additional refinements should be made in the administration so that PUD zoning is not used on single buildings;
- PUD zoning should not be used in downtown zoning cases;
- The baseline should be actual base zoning; and,
- The CDC also endorses the points made in the attached letter from Housing Works.

Vote 8-0-0

For: Chair Rivera, Vice Chair Paup, Commissioners Coles, Langley, Mueller, Nelson, Reyes, and Taylor

Against: 0

Abstain: 0

Absent: Commissioners Decierdo, Montoya, Noyola, Seals, and Walters

Attest:

Kathleen Saenz, Board Liaison



HousingWorks
AUSTIN

Board of Directors

Andrew Childers
ARA Austin

Ashton Cumberbatch
Seton Family of Hospitals &
Austin Bridge Builders Alliance
Catharina Echols
Liveable City

Frances Ferguson
NeighborWorks America

Frank Fernandez
Green Doors
Capital Metro Board of Directors

John Limon
Plaza Saltillo Redevelopment

Veronica Macon
Housing Authority of the City of
Austin

Terry Mitchell
MOMARK Homes
Austin Chamber of Commerce Board
of Directors

Karen Paup
Texas Low Income
Housing Information Service

Wes Peoples
Wes Peoples Homes
Homebuilders Association of Greater
Austin

Cookie G. Ruiz, C.F.R.E.
Ballet Austin
Dave Sullivan
UT Center for Energy and
Environmental Resources &
City of Austin Bond Oversight
Committee

Kathy Tyler
Motivation Education and
Training, Inc.

August 20, 2013

Dear Mayor Leffingwell, Mayor Pro Tem Cole, and Council Members Riley, Martinez, Tovo, Morrison and Spelman:

As you contemplate revisions to the PUD ordinance, on behalf of HousingWorks, I would like you to consider the following recommendations that are related to affordability and equity:

1. With rare exception, PUDs should not be used on a single building or a small, single tract of land. PUD is a special designation for larger tracts of land that enables a developer to create a cohesive and superior development.
2. PUDs should not be allowable within the downtown area. With the closing of the CURE "loophole," it is increasingly important to maintain distinction between density bonus programs.
3. Residential developers should be required to develop on-site affordable units in PUDs, rather than paying a fee-in-lieu. On-site affordability is a proven and effective strategy to incorporate affordable housing in high opportunity areas. In fact, there are currently 247 affordable units that have been created or are in the pipeline as the result of Vertical Mixed Use (VMU) zoning regulations.
4. In exceptional cases, a fee-in-lieu payment may be warranted. In these rare cases, the PUD fee in lieu should be no case less than \$6/square foot of bonus area. Smaller fees mitigate the incentive to incorporate affordability, decrease the ability to replicate the affordable units in another development, and are counter to the ordinance's original intention.
5. The rewrite of the PUD Ordinance should clarify that existing zoning shall prevail as baseline for purposes of determining development bonuses. Departmental discretion with respect to baseline zoning is too ambiguous and highly subjective.
6. In order to achieve deeper affordability in geographically diverse areas, on-site affordable housing in PUDs should be limited to 60% MFI income levels. The City of Austin has a responsibility to affirmatively further fair housing. Requiring deeper levels of affordability (e.g. 60% MFI) in all areas (regardless of prevailing levels of affordability in the surrounding area), would help to achieve greater geographic dispersion and facilitate affordability in higher opportunity areas.

Thank you for your consideration of our input. If you have any questions, or require any additional information, please feel free to contact me at (512) 466-0574.

Sincerely,

Frances Ferguson
President, Board of Directors