



**Planning and Neighborhoods Committee  
MINUTES**

**REGULAR MEETING  
June 9, 2015**

**The Planning and Neighborhoods Committee convened in a regular meeting on June 9, 2015 at 301 W. Second Street in Austin, Texas.**

**Chair Gregorio Casar called the Board Meeting to order at 2:38 p.m.**

**Board Members in Attendance:**

**Chair, Gregorio Casar**

**Vice Chair, Sabino “Pio” Renteria**

**Council Member Sheri Gallo**

**Mayor Pro Tem Kathie Tovo**

**1. APPROVAL OF MINUTES**

The minutes were approved on this the 17<sup>th</sup> day of August 2015 on Council Member Gallo’s motion, Council Member Renteria second on a 4-0 vote.

**2. CITIZEN COMMUNICATION: GENERAL**

Jennifer Houlihan, a member of ORA and Representative of Austin Music People: spoke on the struggles the local musicians and others endure in the City of Austin with the growing affordability problem and if we want to keep the music industry here make sure they can afford to live here.

Mary Ingle, President of the Austin Neighborhoods Council: supports the Planning Commission and C Development Commission recommendation, but the “Citywide” language there we have a problem, because it’s already inherent in the zoning and a reduction in parking is not a do-able thing for neighborhoods.

Susan Moffett: supports the current Planning Commission proposal and ask Council to continue to work with experienced affordable housing nonprofits to identify measures that could produce permanent, deeply affordable rentals ADUs or other housings for residents that are 50% to 60% mfi or below.

Jake Wegman, Assistant Professor in the Community Regional Planning Program at UT: spoke on his research of ADUs of other cities and the consequences of not allowing ADUs.

Eric Goff: spoke on his extensive research into the local ADUs, but there are significant barriers to new ADUs based on the Land Development Code. At this point the City of Austin is in the middle of a housing crisis, rent is going up and property taxes are going up. Many of these issues could be resolved if we allowed the construction of more ADUs.

Hedi Gerbracht with the Real Estate Council of Austin: spoke on the limitations discussed with regard to the ADU ordinance as impediments to Fair Housing, such as setbacks, opt-in requirements, parking and

lot size requirements. These are all listed as impediments to fair housing that potentially block certain people from being able to get housing in certain parts of town.

Stuart Hersh: spoke on Accessory Dwelling Units and that the current Council repeals the 2008 Ordinance.

Steven Yurak: spoke on Accessory Dwelling Units lot size should go away entirely and ADUs should be entitled across the city.

Tyler Markeum: spoke on Short-Term Rentals and support the proposal of limiting Type 2 rentals.

Amy Hartman: spoke on Short-Term Rentals and recommend banning Type 2 Short-Term Rentals on ADUs.

Malcolm Yeatts Chairman with East Riverside Waldorf combined neighborhood Planning area contact team: spoke on the unintended consequences of the motion about gentrification of neighborhoods, but not enough on commercialization of neighborhoods. This ordinance will decrease affordability for the missing middle class families and force families to affordable houses in the suburbs.

Joan Owens: spoke on ADUs and flooding areas which is due to the ancient sewer systems and infrastructure.

John Roberts: is in support of using restrictions on ADUs.

Joyce Basciano: spoke on ADUs on substandard lots and consider all of the consequences such as the increase of parking and traffic.

JoKatherine Quinn: support ORAs recommendation and would ask that Council take those into serious consideration and recognize this is a very complex issue and needs a lot of thought and care behind the decision.

Mary Arnett: a renter in Austin since 1977. Encourage this Council to keep the momentum going on this issue and please to a resolution as soon as possible.

Roger Cauvin, on the Board of the Downtown Austin Neighborhood Association and Director of Friends of Austin Neighborhoods is in support of the ORA proposal, substitute proposal and ADUs.

Barry Lewis, a member of the board of the Downtown Neighborhood Association, there are specific circumstances that does require overnight concrete pours. It is very important that Council gives consideration to the residents who are living downtown. There must be reasonable limits of the pours and some effective enforcement mechanisms.

Jennifer McPhail, is opposed to postponing the deadline for implementation of the visibility ordinance. The improvement for people with disabilities means people are not being forced into institutions.

Danny Sines, spoke of not being able to visit friends due to homes inaccessible for him.

Bob Kafka, spoke on how the Mayor's Committee of People with disabilities weren't notified about the hearing.

Jeffrey Trawler stated his staff have been working with the City and Planning Department to kind of figure out how the variance and a couple other things would work.

John, Division President of Standard Pacific Homes in Austin, spoke on concerns of the long-term issue with affordability and the no-step entrance and the exterior route. At this time the no-step entrance is already enforced in a variety of communities and some they are not. We do not know why and we do not have a clear understanding of the waiver process.

Willie Cecil with the Austin Board of Realtors spoke on the affordability here in Austin. People who come here are not able to afford \$1200 or \$1800 rent. Another issue is Council is making an assumption that we need to have some sort of parking regulations, but we really don't have this great need for cars with the ADU issue.

Andrea Lubomuhov with Austin Board of Realtors asked Council to looking into grandfathering for parking because under the current building code you have to. If you are going to add an ADU also update the current property to meet existing codes.

Mike Gorse, resident of the Brentwood Neighborhood, spoke on ADUs.

Alejandro Puyna provided a powerpoint presentation about parking and ADUs. Currently there are no parking issues in Hide Park, the City of Austin should do a study on other cities and pay more attention to the facts.

David King, stated the City of Austin should look at some facts. Both Portland and Seattle first wrote out their no parking requirements for small units in their cities and then had to turn around and implement minimum parking requirements for those units because what they found out is that the no impact was not actually true. So they had to come back and implement minimum parking requirements in those two cities. Therefore, the City of Austin should look at the facts first. In terms of Short- Term Rentals stop those type 2 Short-Term Rentals in my neighborhood alone, 81 homes would go back on the market as single family homes.

### **3. STAFF BRIEFINGS**

#### **Consider and develop recommendations related to permitting Accessory Dwelling Units (ADU)**

Presenter(s): Ming-Chu, Planning and Zoning Department

- Staff provided an overview of what is Accessory Dwelling Units, Resolution #20140612-062, current regulations, proposed regulations and where would regulations apply.

#### **Consider and develop recommendations related to permitting requirements for non-peak hour concrete installation within portions of the Central Business District (CBD) and Public (P) zoning districts.**

Presenter(s): Gregory I. Guernsey, Director, Planning and Zoning Department

- Staff provided an overview of the additional staff recommendation and additional survey information from other cities of the upper limit on decibels from 7:00 P.M, to various times in the evening Sunday through Wednesday until 10:30, on Thursday to 11:00 P.M., and 12:00 midnight on Friday and Saturday. The decibel limit would be set at 75 decibels. This is very similar to what the Downtown Commission had established. For those points of time after those respective times of 10:30 Sunday through Wednesday, on Thursday, 11:00 P.M., or midnight on Friday and Saturday, the sound level would vary, but would be no more than ten decibels above the noise level of the applicants' location, which would most likely be less than 75, particularly

later in the evening. Ambient sounds, all-encompassing sounds in a given environment, usually composite of sounds near and far. So, once this does happen there will be a limitation that would be actually set by the environment where the site is located. The Sound Management group of the Economic Development Department would set the ambient sound level in the downtown area on a quarterly basis.

#### **4. DISCUSSION AND POSSIBLE ACTION**

**Consider and develop recommendations relating to the City's visitability requirements.**

#### **5. FUTURE ITEMS**

#### **6. ADJOURN**

Chair Casar adjourned the meeting at 5:49 p.m. without objection.

The minutes were approved on this the 17<sup>th</sup> day of August 2015 on Council Member Gallo's motion, Council Member Renteria second on a 4-0 vote.