

PLANNING COMMISSION

HANDOUTS

APRIL 28, 2015

C2 ✓

KISS TWO HOUSES ON ONE LOT

Stuart Harry Hersh shersh@austin.rr.com 512-587-5093

1. Allowed on all SF-2, SF-3, SF-5, SF-6, MF, and MU lots regardless of size
2. Must not violate subdivision plat notes, deed restrictions, and restrictive covenants that are valid
3. Not allowed on lots in 100 year or 25 year flood plain or former landfill site
4. No variances on setbacks, building coverage, impervious cover, McMansion, or adopted International Residential Code standards
5. Second house requires only one additional paved parking space that can be placed in tandem or adjacent to existing paved and unpaved parking spaces
6. A water sub-meter with electronic reporting can substitute for purchase of new water and sewer tap
7. Maximum smaller house size is 500 square feet if lot is less than 5,750 square feet
8. Maximum smaller house size is 750 square feet if lot is greater than 5,750 square feet and less than 7,000 square feet
9. Maximum smaller house size is unlimited in size if the lot is 7,000 square feet or greater and development complies with applicable standards referenced above
10. If smaller house has habitable space on the first floor, the house must meet applicable visitability standards.
11. If smaller house or larger house serves household at or below 50% Median Family Income for 40 years through restrictive covenant, S.M.A.R.T. Housing fee waivers and fast track review incentives apply.
12. If smaller house will not be at least 10 feet away from larger house, the International Residential Code standards for fire protection of exterior walls, doors, and windows apply.

C2

Thank you for this opportunity

You have information I sent you via email regarding objections to this wholesale relaxation of requirements for these ADUs. It is obvious that this is NOT AL ALL about affordable housing; rents would be at market value as is currently the case in Austin. In addition, many neighborhood plans exclude these type dwellings, especially older neighborhoods with no alleys. The deed restrictions, thought by many to protect their environment, although up to now ignored by city planners, staff, and city enforcement often do not allow for these dwellings. Additional impervious cover with the runoff and water waste is a bad idea.

The relaxation of requirements would tend to diminish quality of life for both property owners and renters as crowded living conditions seldom are conducive to a happy, healthy environment. Some would argue that sewer lines and water lines along with electrical services/ other utilities are currently not at capacity. That is a good thing, as many, many of these areas have very old conduits, which if used at capacity with infill of additional ADU/other development would not survive the added pressures. Guess who pays to get them repaired? Citizen taxpayers.

Perhaps the most important issue is that in the pell mell rush to densify at any costs, you break the trust of residential areas that homeowners felt they were purchasing. A single or dual family residence with these ADUs in backyards with no alleys is not part of the trust placed in the city zoning or neighborhood plans worked on for years by current Austin residents.

As one reads reports of other cities, especially the oft quoted Portland as the pillar of all things dense and wonderful; one begins to see some of the bad unintended consequences that are now apparent from their previous mad dash to densify at any cost. We have stayed in family homes in Portland where the residents have to park their car blocks away from their home to find any sort of on street parking due to planned densification. This is not helpful to the infirm or our growing population of elderly citizens.

Is this what we all really want for our city, to be another Chicago or New York city, or London with a downtown of sky scrapers, little view of sky of sun, very often a concrete jungle? Residences with postage stamp front yards and no parking, or using the front yard that is only as wide as the residence to park their cars? I think we can take our time and do better, much better.

TWO HOUSES ON ONE LOT: ACCESSORY DWELLING UNITS AND HOUSING AFFORDABILITY

Stuart Harry Hersh shersh@austin.rr.com 512-587-5093

For most of Austin's history, a property owner could two houses or a duplex on any lot in Austin as long as the owner met zoning and building code regulations. Some lots could only have a single-family dwelling, because some owners put restrictions on their own land when they purchased it, sold it, or subdivided a large lot into smaller lots. These private restrictions were filed in the county deed records as restrictive covenants, deed restrictions, and subdivision plat notes.

MINIMUM LOT SIZE

On June 20, 1950, Austin's regulations for two houses on one lot changed. Most single-family neighborhoods were zoned "A", First Height and Area. All building permit applications for two houses on one lot filed after 6/20/50 could still be approved if the lot existed on 6/20/50. All lots created after 6/20/50 had to be at least 7,000 square feet in area in order for two houses to be built on an "A" lot. In "B" zoning districts (which were multi-family lots), the minimum lot size was 4,000 square feet for two houses on one lot. In "C" and "D" districts (commercial and industrial), the minimum lot size was 2,000 for two houses on one lot. These regulations were easy to understand and administer, and promoted rental housing throughout the City's single-family neighborhoods.

FAIR HOUSING

After Congress passed and President Lyndon Johnson signed the Fair Housing Act in 1968, Austin and many cities around the country no longer allowed two new houses on single-family zoned property or an additional house on property where there already was a single-family lot. The new Zoning Code adopted in 1983 did not permit two separate houses on single-family zoned property, and duplexes were allowed on "SF-3" zoned lots and MF zoned lots that were at least 7,000 square feet. Newly annexed property was generally zoned "SF-2", and two houses on one lot was not allowed in "SF-2". These standards were retained by the City Council in the Land Development Code adopted in 1988.

SIMPLIFIED LAND DEVELOPMENT CODE

A decade later, the City Council launched an initiative to make the language in the Land Development Code simpler (hence the name "Simplified Land Development Code") to understand and to make code changes consistent with Smart Growth principles then in vogue in the policy world. Two houses could once again be built on "SF-3" and MF zoned lots at least 7,000 square feet in area. In addition, two houses could be built on smaller lots if a Neighborhood Planning Team recommended and the City Council adopted a smaller lot standard as part of an adopted Neighborhood Plan. I have not been able to identify a single neighborhood plan where the City Council adopted a lot size standard different that the neighborhood recommended. I have not been able to identify a lot size standard that has been modified in any adopted neighborhood plan since the respective neighborhood plan was initially approved by the City Council.

TWENTY FIRST CENTURY CHANGES

Following the adoption of the Simplified Land Development Code at the end of the Twentieth Century, City Councils further limited the size of two houses on one lot through a Two-Family Dwelling Ordinance and the McMansion Ordinance.

In 2007, the Affordable Housing Incentives Task Force recommended allowing reduction of lot size for SF-2 and SF-3 districts to 5,750 square feet in exchange for twenty years of housing affordability for renters at or below 60% Median Family Income for at least one of the two houses on the same lot. The second home could not be more than 850 square feet if the lot was less than 7,000 square feet in area. Impervious cover could be increased to 50% if the Watershed Director confirmed that there would be no adverse flooding on adjacent properties. The City Council adopted these recommendations on 1/31/08. I have not identified any other who has developed under these affordability standards.

RECOMENDATIONS

I have attached five code changes for removing impediments for placing two houses on one lot that I have had available since the first Planning Commission public hearing was scheduled on 11/5/14. In addition, I have recommended City inventorying private restrictions and Neighborhood Plan restrictions as well so that permits are not issued for homes that cannot be built if valid restrictions are enforced. I oppose two houses on either floodplain or former landfill sites. A second house cannot be a short term rental property.

In the spirit of what my best bosses used to call "KISS" (keep it simple Stuart), perhaps all of these recommendations would apply on all single-family, multi-family and mixed-use lots unless private restrictions were more restrictive. This would increase opportunities for more of us who are renters to live on property zoned single-family. This would partially mitigate recent code changes that prevent three unmarried couples from living in a new-single-family house (current occupancy standard is 4 unrelated adults in a single-family home).

The previous City Council initiated the code amendments to remove impediments to building of accessory dwelling units on 6/12/14 and asked that the proposed ordinance return to the City Council in 120 days. Those of us with ideas have not been allowed to speak at scheduled Planning Commission public hearings to date. I ask that the relevant boards and commissions conduct their public hearings, and make their recommendations so that the City Council can conduct its committee deliberations, conduct public hearings, and act.

April 28, 2016

City of Austin
Planning Commission
301 W. 2nd Street
Austin, TX 78701

Re: C14-2014-0198 - Huston Heights; District 1

To the Honorable Planning Commissioners:

I'm Stanton Strickland, and I have lived in the Robertson Hill Neighborhood for 8 years. I am the immediate past president of the neighborhood association and current president of the Organization of Central East Austin Neighborhoods, the Central East planning team. I am here tonight to comment on the indefinite postponement of this item and appreciate your attention to my neighborhood's concerns.

The Robertson Hill NA has begun exploring with the Drenner group the options for redevelopment of this critical site at the western edge of our neighborhood, adjacent to the IH-35 frontage road. So far our discussions with Drenner Group and the owner have centered on how any project there will impact the long-term viability of our single-family neighborhood core. Several issues have emerged as critical to preserving single-family quality of life around this site, and it is our expectation that the applicant and his representatives will address those issues to Robertson Hill's and the immediate community's satisfaction before returning to your commission for action.

Briefly, our concerns include, but are not limited to:

- the car and large delivery vehicle trips of a volume and intensity normally seen in large downtown projects on major corridors, taking access on a very narrow urban local street lined with single-family homes;
- the potential impact to property values that development of this scale will bring;
- the duration and extent of shade that large residential towers will cast over homes and our local Lott Park;
- the preservation of heritage trees on-site and along Branch Street;
- loss of Capitol views; and
- the loss of access to a neighborhood pharmacy for the approximate 2-year duration of any construction.

I have been pleased and commend the Applicant's and the Drenner Group's willingness to reach out to the community and discuss the proposal. We hope and expect that, going forward, the Applicant and his representatives will provide all requested information to assist our neighborhood and the community in evaluating the proposed development.

Mr. Drenner has stated to neighborhood members that they will not come back to this commission for action until all issues are addressed and all parties are in agreement, and we would very much appreciate it if they would confirm that for the record, tonight.

Please contact me if you have any questions. Thank you for your attention to our concerns.

Sincerely,

Stanton Strickland
1174 San Bernard Street
Austin, TX 78702
stanton.strickland@aol.com

C.5

Jora

C14-2015-0008 – 2130 Goodrich Avenue

The Applicant and the Zilker Neighborhood Association have agreed to add the following conditions:

1. Restaurant (limited) and Restaurant (general) will be prohibited uses.
2. Vehicle trips will be limited to 340 per day.

2.0

Doc. No. 1000

1000

1000

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Hyde Park Neighborhood Association

P.O. Box 49427 • Austin, TX 78765 • www.austinhypark.org

The Hyde Park Neighborhood Association passed the following resolution with regard to accessory dwelling units on December 1, 2014:

City Council resolutions concerning Accessory Dwelling Units (ADUs) should not override the neighborhood planning process or neighborhood plans. Therefore the Hyde Park Neighborhood Association does not support a city-wide or blanket policy change pertaining to the construction of ADUs, such as resolution #20140612-062 passed by the City Council on June 12, 2014. We see our neighborhood plan, which grew out of a process of civic participation, as central to maintaining the character and the quality of life of our neighborhood.



Haase, Victoria [Tori]

C-6/16

Subject: FW: Agenda item 6, 2130 Goodrich rezoning, C14-2015-0008

From: Lorraine Atherton

Sent: Tuesday, April 28, 2015 9:22 AM

To: 'Danette Chimenti'; Haase, Victoria [Tori]; peter.e.sebesta

Cc: Chimenti, Danette - BC; Zaragoza, Nuria - BC; Hernandez, Alfonso - BC; Roark, Brian - BC; Nortey, James - BC; Stevens, Jean - BC; Hatfield, Richard - BC; Oliver, Stephen - BC; Shieh, James - BC; jjack2@austin.rr.com

Subject: Agenda item 6, 2130 Goodrich rezoning, C14-2015-0008

Planning Commission
City of Austin

Re: Agenda item 6, C14-2015-0008, 2130 Goodrich rezoning

Dear Commissioners:

The zoning committee of the Zilker Neighborhood Association requests that a conditional overlay prohibiting restaurant, cocktail lounge, and other alcohol-related uses be added to the commercial services mixed-use (CS-MU) zoning at 2130 Goodrich. It is our understanding that the owner, Jack Holt, has agreed to this.

We support Dr. Holt's proposal to build a small two-story duplex in the open yard behind the existing office building. ZNA has long supported this type of live-work conversion for commercial properties along South Lamar. Our understanding is that the office building will remain as is, with the current MHMR tenant. There do not appear to be any trees in the construction area that would be affected, nor are there easements, setbacks, or other compatibility issues. The proposed duplex should be perfectly compatible with the adjacent public housing at Goodrich Place. Likewise, the existing office and MHMR uses seem to be very compatible with the surrounding residential uses, and they are not contributing to traffic or parking problems.

We also request that the Planning Commission reject the "Neighborhood Traffic Analysis" submitted by City Planner Bryan Golden, stating that the applicant must "post fiscal for improving the roadway width up to 40 feet of pavement" and recommending that one of the existing driveways be removed and sidewalks be installed. The analysis estimates the "proposed new site traffic" at 789 vehicle trips per day. We believe the analysis is in error because:

1. the MU designation and the construction of housing actually reduces the potential for car-intensive uses on this CS site,
2. the only uses that could generate the traffic in the staff report are restaurants and bars (already allowed under the current CS zoning),
3. it is debatable whether a restaurant of that size could be built on the lot with the required parking, and
4. the CO prohibiting restaurants and bars would eliminate the possibility of those car-intensive uses.

We also object to the driveway and sidewalk recommendations because the current driveway configuration is required for the MHMR buses and the trees on the curb are more important to the pedestrian environment than a paved sidewalk. An unpaved path would be acceptable under the trees, but the existing driveway provides good pedestrian access as it is, especially for the MHMR clients. A standard concrete sidewalk should be required only on the short stretch between the Batteries Plus sidewalk and the first driveway at 2130 Goodrich.

C15

To: City Manager

From: The City of Austin Planning Commission

Date: April 28, 2015

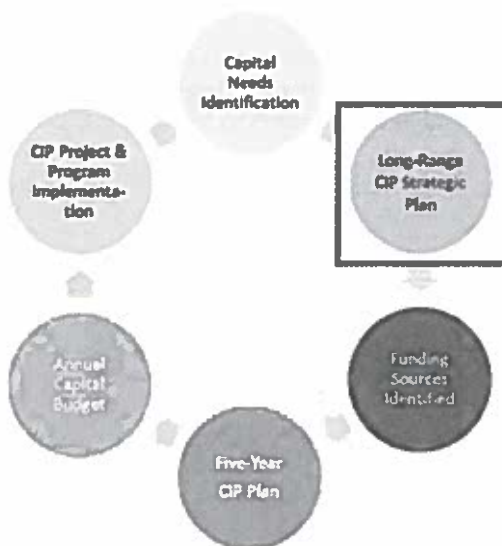
Re: Capital Improvement Program Recommendation Letter, Per City Charter Requirement - Article X. Planning., Section 4. Part (4).

City Manager,

As required annually by the City Charter, the City of Austin Planning Commission (PC) offers the City Manager the following feedback and recommendations for consideration in regards to the Capital Improvement Program (CIP).

For the fiscal year 2015-16, the CIP Committee of the PC considered the city's Long-Range CIP Strategic Plan (LRCSP). The LRCSP was introduced in the fiscal year 2014-2015 as a tool to guide and inform city officials and departments, as well as citizens and city commissions, more effectively. As such, the CIP has used the past year to evaluate the plan.

The LRCSP is updated annually by the Capital Planning Office, with PC review and consideration during late winter/early spring. This timeframe provides for the use of the LRCSP to inform the development of the 5-year CIP Plan update which is done in the spring by the Budget Office. The 5-Year CIP Plan is used as the basis for developing the capital budget as part of the City's annual budgeting process. The diagram below illustrates this relationship:



To assist the community and the PC to more completely understand the City's CIP, the LRCSP contains basic information about the CIP, as well as more detailed information about our infrastructure challenges and strategic investment opportunities. Appendix B of the plan is an index of rolling CIP needs organized by infrastructure categories, related on-going and strategic CIP programs, and highlighted projects submitted by City departments.

Last year, the LRCSP introduced Strategic Investment Areas Overlay Analysis maps showing the varying levels of intersecting CIP needs and priorities keeping in mind that CIP need exists city-wide. New this year is an overall composite map of overall City-wide CIP needs and also of the Strategic Investment Areas found in the Imagine Austin based map sets. As we pointed out in last year's letter, that staff will continue to develop the LRCSP processes and address related data needs as necessary.

With that background the Planning Commission has the following Capital Improvement Program recommendations for FY 2015-16:

1. Ongoing capital investment in upkeep of existing facilities and infrastructure will continue to be a key driver for capital program needs into the future.
2. The City will continue to seek additional resources to address the need for upfront infrastructure master planning to ensure a strategic and effective use of capital funding.
3. The Strategic Investment Areas Overlay Analysis indicated several areas of potential capital investment coordination opportunities that fall within Imagine Austin Comprehensive Plan centers and corridors, indicating focus areas for further analysis.
4. Capital renewal needs are apparent across several asset categories, including mobility and parks infrastructure as well as city facilities. Such ongoing programs may require additional funding in the next few years to continue progress in addressing capital renewal and service demand drivers.
5. The City has made initial investments in planning and/or preliminary engineering for several projects that have included substantial community engagement and would require additional funding for subsequent phases of work; such projects should be a priority for funding opportunities that become available.
6. Opportunities have been identified to coordinate new projects with prior improvements to create improved outcomes, such as those related to mobility and connectivity. Such projects should also be given consideration as new funding opportunities exist.

We applaud the collaboration between the Capital Planning Office and multiple city departments in updating the LRCSP and continuing to develop and apply it.

Regards,

Alfonso Hernandez
Chair, PC CIP Committee

Dannette Chamenti
Chair, Planning Commission

Sara Pedrosa
1608 Willow St.
Austin, TX 78702
sara.pedrosa@gmail.com

April 28, 2015

To Whom it May Concern,

I am 10 year resident of the East César Chavez Neighborhood and I am writing to voice my opposition to the hotel, restaurant and gallery project (case number SPC-2014-03873), being proposed for development on East César Chavez (ECC). I firmly believe that the scope and scale of the project, as proposed by Carrico RE LLC, is incompatible with the site location and urge you to deny the applicant's request of a Conditional Use Permit. I believe that this project will be detrimental to the safety and accessibility of the ECC transportation corridor and will negatively impact the character of the East César Chavez neighborhood.

As a 20-year veteran of the hospitality industry, who has worked in both foodservice and hotel establishments, I feel that I can speak to the impact that a business of this nature will have on the neighborhood. I am chiefly concerned with the strain that waste removal, food, liquor and linen delivery vehicles will place on the transportation infrastructure of the East César Chavez and Waller Street intersection. Frankly, the current transportation infrastructure is insufficient to support these activities and the neighborhood cannot adequately absorb the overflow parking demands that will be required to accommodate hotel guests, restaurant patrons, and hotel staff.

It is my understanding that per the East César Chavez neighborhood plan, the ECC corridor is not designated for development of this type, thus triggering the need for a Conditional Use Permit. I was dismayed that the East César Chavez Neighborhood Planning Team voted to support this project. In my opinion, there are many ECC neighborhood residents and stakeholders who would prefer a development for this site (like a condominium), which would be in keeping with our ECC neighborhood plan.

I am also concerned about the logistics of building a project of this scale on this site. As I understand it, originally the two lots on Willow Street were being proposed as construction staging and access areas. I am vehemently opposed to the use of residential, single family, Willow Street lots for construction purposes.

Let me state clearly and firmly; I am not opposed to the development of this project in the East César Chavez neighborhood. Rather, I am opposed to the development of this project *on this site*. In fact, I would be happy to see this project developed in an area of the ECC neighborhood that has been designated and zoned for this type of venture.

Likewise, I would like to underscore that my opposition to this project is not relevant to the size of the building. I understand that this site can be developed for other purposes (e.g. a condominium) without requiring a Variance or Conditional Use Permit. My opposition is to the nature of the business being proposed.

Finally, I encourage you to visit and examine the area being proposed for development. Please contact me with questions regarding my concerns and opposition to the project. Again, I urge you to deny the Conditional Use Permit request.

Thank You,
Sara Pedrosa

