

CAG Meeting Minutes 9/19/16

6:35 meeting convened

Absent: Terry Mitchell

1. Minutes were approved by consent

2. Citizens Communication

Stuart Hersh addressed the board as a renter discussing the Bloomberg Business Week copy of the electorate. Percentage of African Americans in Austin is declining. All populations are decreasing except for Hispanics and Asians. No one is re-writing the criteria manual, which he feels is necessary in order to re-write the code.

Frank Heron handed out a series of materials, one including a one sheet on Evolve Austin, a nonprofit that supports the implementation of Imagine Austin, as well as another sheet on FAN, this group support inclusive, diversified housing. Thus there is a voice that wants affordable housing everywhere throughout the City. This is to support that other people, beyond Frank support missing middle, inclusive housing practices.

Daniel Llanes is here because he heard that someone said that single-family housing is racist. He is also on the executive committee of the ANC. He is happy to see this board diversified. He believes that home ownership is the one sole reason that allows minorities to prosper. This city has more homeowners of SF than apartments and believes that even apartment owners deserve some form of home ownership.

David King is here to discuss a letter passed by ANC, the point of the letter is about the code next prescription papers and mapping process. In the next 60 days that the City Manager direct the CAG to be the sole entity to guide this process. He believes there are competing dueling prescription papers.

Susana Almanza with PODER, the Govalle-Johnston Terrace neighborhood plan was adopted but is still suffering from industrial uses. She wants industrial zoning near schools to be addressed in this process and the grandfather clause should expire.

Daryl Stuart with the Tiny House meet up group wants this type of living options to be possible. He wants to hear more details about what the City is doing regarding Tiny homes.

Public Comment Over

3. Report on CAG Outreach Activities

Public Outreach report will be sent to City Council this month. At the next meeting Dave Sullivan will bring a draft, Ashley to send out a spreadsheet so everyone can add their contributions.

Staff to report on activities – contract extensions, new staff,

This Thursday at City Council staff will request expansion of the contract for \$1.3 million from now through January 2017. . CAG was wondering if public engagement is part of the \$1.3M. Jorge mentioned that he cannot offer up contract as it is in the middle of execution, but he can provide a summary in the near future. The contract will be provided after execution. This is phase 3 and will get us through phase 3. Phase 4 will include public engagement and mapping. The CAG passed a resolution to encourage the council to fund a public engagement consultant to develop a plan. All marketing materials have been shifted to the responsibility of the consultant.

4. Fiscal Health Presentation

Mandy DeMayo wanted to know how the transportation plan interacts with the CapMetro 2020 Plan. Christine Maguire clarified that there are a number of different transportation plans occurring at this time; however, at this point a distinction on how these plans will interact has not been made.

Jose Valera believes there is a positive good from this prescription as it relates to improving infrastructure. Opportunities to educate the public on infrastructure fees are collected. He also sees a strategy of development fees. He wonders if there is a financial model for each subdivision or development that would force a developer to pay for a certain percentage of lifecycle costs for infrastructure. Christine Maguire says yes to the financial analytic tool that shows the ability to pay for short and long term impact, ROI, EIA, FIA, etc (Envision Tomorrow). Jose wants us to compare new code to old code during the next sound check event.

Dave Sullivan would like more specifics from the Chan and Partners and Howard Lazarus Study. He would like examples from the Compact and Connected Cities and Rate Payers per Mile studies to be presented at the community engagement event.

Following up on rate payers per mile study, Nuria Zaragosa is uncertain if everyone has to be charged the same amount. She is uncertain what will be better through these prescriptions, where significant entitlements were awarded quickly, yet it's difficult to tie new to old. Is the intention to plan better so the infrastructure can be in place before the development follows? Christine Maguire says yes for greenfield areas. But for areas like Rainey where development has exploded at higher intensities than before, it is more expensive to build in a tight area while accommodating existing infrastructure. The LDC needs to address greenfield and infill separately through two completely different methods. The prescription takes the lens of infrastructure only because there are so many other aspects that complement the land development code.

Kevin Wier is interested to know who pays and how much? If infrastructure is over capacity and needs to be upgraded, and the developer will only pay a percentage,

who pays the rest? Christine answered that the public sector needs to pay the rest. The pipes and poles in the ground need to be upgraded but this should occur system-wide. It is at this point where the City gets into the issues about fairness and what the city can legally ask to pay "takings." If a development project comes forward and there is a fortuitous opportunity where there needs to be an upgrade in the area but also the potential to do area wide improvements, the City and private sector can partner through an infrastructure cost-sharing mechanism at the same time that a development is coming forward, then that could be a public private partnership that actually upgrades the system capacity and accommodates the development. It will help other developments in a compact and connected environment in the future.

Kevin Wier brought back up that new development needs to pay its own way, "every boat needs to float on its own water." Land costs are high and the amount for rent is set by the market. There is certainly a risk-rewarded rate of return. The ability to finance what really is public beyond what that development demands, is uncertain how that will be financed. Austin has a real challenge as land costs are very high so urban infill is expensive, hence the need for the City to be strategic and the need for multiple tools to be in the tool chest. Austin has kicked the can down the road far enough by not upgrading its infrastructure at a single-family scale to accommodate new higher intensity development that will allow for a more sustainable Austin in the future.

Richard Heyman is worried that the prescription paper gives the sense that building in higher density is a better fiscal choice, however, that does not appear to be the case. Page 11, cites a report that states dense more compact development brings more tax dollars per acre but believes that the methodology is problematic. He believes that it is asking us to build for more affluent users.

Liz Mueller wants to know how we are dealing with the edges of the City. She wants to know what we can do about having to take on big infrastructure costs from annexing a community or MUD in the ETJ. Christine Maguire cites the Eastern Crescent as an example, as well as Colony Park's attempt to create jobs for economically disenfranchised community. Jerry Rustoven took on the question, stating that the City looks for areas that have pending development. For un-annexed areas the City has planning authority in condition to environmental and drainage authority. Some areas are willing to be annexed if they participate in a public finance, such as the issuance of special capital bonds.

Eleanor McKinney states that the CAG is interested in going beyond Compact & Connected and wants to go to Compact & Connected, affordable, and green. So if a code creates the type of development that we want as a City, then funding that type of capacity and infrastructure makes sense. But if it doesn't meet these goals then maybe we should not do it.

Christine Freundl used South Lamar as an example to look at things when not strategically planned with fragmented development across an entire corridor. While

VMU did not address infrastructure in the street, street-scaping and affordability were two results. There are whole other systems of community benefits that come out of these relationships. If we are going to absorb our missing middle into the community, it is certainly a worthwhile benefit of the cost of retrofitting for higher intensity development.

Christine Maguire brought up the supply/ demand argument for cost of land and property.

Susan Moffat underscored Rich Heyman's comments. She believes the push for density will cause Austin to not be affordable for families and used Mueller as an example where only the subsidized units are still affordable, despite Mueller having many diverse housing types including missing middle. She wants to remind ourselves that we need to build a City for everyone. She does not believe that any families are moving into S. Lamar VMUs. She is afraid that Colony Park residents will be gone before the time development arrives there. She is afraid we may never pass another bond again, as two of the last four school bonds failed. We have to build for families and all income levels. She also stated census data that said no people of color living in the new multifamily complexes on S. Lamar.

5. Planning 101 Presentation

Eleanor wanted to get a clarification on cumulative zoning and whether it will exist under CodeNEXT. Jerry stated that there will not be cumulative zoning under the new LDC rewrite, but it cannot change grandfathered uses under state law.

Nuria had a question about whether CodeNEXT will affect neighborhood plans and the future land use map in the comprehensive plan. Jerry mentioned that there are current definitions of land uses and that the future land use maps will be the guide to determining which of the new land use categories would be applied to current land use areas.

It was stated that not all neighborhood areas would be changed to transect zones, only areas that are conducive to that type of zoning. Not conforming, but having the option to transform.

Rich Heyman wanted to know if we are still creating new complicated opt in opt out systems, while this CodeNEXT process is taking place? Jerry says that our goal is to try to simplify the development process, so no.

Jose asked whether the distance notice requirements are the same regardless of the size of the property. Jerry stated that hardship is defined in the eyes of the BOA. That hardship is not supposed to be economic, but is supposed to be an existing physical condition in order to get the variance.

Elizabeth Mueller was curious about the ballot petition and state law that requires that it be proposed by an owner, who may not live there (if renting it out). The same applies for community land trust, so tenants may not petition because they do not own the property, but the City can.

Pat King wanted to know what the difference between PC & ZAP. The main difference is that proposed developments that would occur in areas that have a neighborhood plan would go to PC.

Kevin still questions whether what is proposed will lead to affordability, maybe choice, but uncertain about affordability.

6. Future Agenda Items Dave introduces future agenda items.

October 19th proposed CAG Council

October 26th next CAG meeting

Eleanor would like a presentation on Austin Strategic Mobility Plan from ATD.

Motion to adjourn at 9:12pm