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>> Mayor Adler: All right. Let's go ahead and convene this codenext work session. Today is June 7th. It is 11 after 1:00. We have a quorum present, although I don't believe that we need a quorum present to convene these because we're not conducting any business. And we'll try to convene them as close to the hour as I can and people can come down as they're able to do that. So on this codenext day we'll be meeting between 1:00 and 3:00, and we're going to be discussing mcmansion and compatibility and how they are handled under the code. We've had several of the councilmembers that have gone on to the message board to talk about the specific kinds of questions or concerns that they want to make sure that we daylight here. You have guys had a chance to see the message board? To see the comments and questions that have been raised? >> Yes. >> Mayor Adler: Cool. Then let me start by just turning it over to you. Why don't you introduce yourselves for folks who might be watching? And then start talking to us about mcmansion and then we'll move to compatibility if that's something that fits, if that -- different fits. Okay. >> Mature and council, Greg Guernsey, director of planning and zoning. I'm joined by Peter park of Peter park consulting, and a consultant of opticos, John

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miticos of opticos consulting. John is going to lead us through a presentation. I actually have color copies coming down shortly so it might be a little clearer and easier to use too. We'll walk through those. >> Thank you, Greg. Today we're going to talk about residential design compatibility -- residential design and compatibility standards and we'll talk about article 9 compatibility standards. One thing I would note is that today's presentation is going to work very closely with the presentation we will give to you all next Wednesday that has to do with sf, lmdr, t3 and T 4. Next week tally talk about what the massing ends up being in those different Zones, so we'll talk about that. I think with residential design standards, one of the things to note is that it came about from your existing sf 3 zoning and the way you measured

height, so in -- outside of the urban core for residential projects you measure height to the average of a 10-foot story. And that's a conventional way of doing it, something that many communities have done for a very long time. One of the things that I think was noted in that process is that you get the overall height of a building is very variable. Because it's just to the midpoint of a pitch you don't actually know the pitch -- if the peak of that roof is going to be at 30 feet, 35 feet, 40 feet, because it is an average. And that was -- so here in this diagram you can

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see this is sf-3. Without mcmansion. So this is outside of the urban core. Essentially you take your setbacks, you extrude that up to 35 feet, and that's how tall a building can get to the midpoint of the roof pitch. So that building can land anywhere within that building on slope. The only thing limiting you on how much you can build is really your building cover. So if you're in the urban watersheds, typically that's 40%. If you're in the suburban watersheds, that's a lower number. So you can get a building like this. You can get a building where the eave it might 28 feet tall. The only thing affecting you is the lot coverage. You as a community realized that was working in new developments where someone was platting out 57, 50 lots and they were building all the houses the same way, but it wasn't really working in your kind of core of the city where the development pattern was different. >> Mayor Adler: Are those three sf-3 lots or one sf-3 lot with three buildings on it? >> Sorry. In each case I'm showing the middle lot is just showing an example of what could be built. The two exterior lots are just showing two sf-3 lots. So one had that might have a one story building and another with a two story building. So in this case, every time the middle lot is the one that we're showing is the exemplar of what changes. And again, this is what sf-3 allows outside of where mcmansion applies. You all as a community -- >> Mayor Adler: Hang on a second. Mayor pro tem? >> Tovo: You may not want us to do this, but would you prefer we ask at the end? >> Mayor Adler: I think I would prefer at the end unless it's to understand what we're seeing. >> Tovo: I would like to ask this question. You were making a comment that it's not working in central Austin and I didn't -- I wasn't sure if I

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misheard you? >> The sf-3 regulations you had before you passed the residential design and compatibility standard, mcmansion, before you passed it, you as a community recognized you were getting buildings that were a little bit too big, they were too tall. So you as a community passed the residential design and compatibility standards. You said we need to have a little more form control there. We're kind of concerned about how tall that building can be right at the property line. We're concerned about the overall height. You had questions about, well, maybe we need to allow a building

to get closer to the street if its neighbors are close to the street. And we're really concerned about a really long, unarticulated wall along the side property line. So you recognized that you needed more tools. And so you passed in this diagram -- this is a diagram that we pulled from an aia guide to the mcmansion ordinance. This is just showing in green here that tent, the building has to fit inside this envelope. And you said we're going to have exceptions for gables. We're going to have exceptions for dormer windows. So you passed these rules, right? And you've had them in effect for a little while now. One of the things that when we came to Austin and we started talking with residents, we started talking with review staff, we started talking with the public was people like mcmansion for it bringing down the scale from what sf-3 used to allow. We also recognized that there were maybe some things that were open for discussion. So you control that overall height. It's really consistent, 32 feet. It's as tall as you go. Where it's less consistent in terms of how a new building in sf-3 under mcmansion relates to its neighbor is the height of that side wall. So in sf-3 your side

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setback is five feet and the way mcmansion works is you take 15 feet at the property line and for every foot away from that property line you get an extra foot of height. So at five foot setback in sf-3 you can build a 20-foot tall wall. You as a community seemed comfortable with that, but because of the way that regulation worked, if I set my building back 15 feet from the side property line, I can build a 30-foot tall wall now. Because I'm still under 32 feet, which is the overall. And yes, I am -- that building would be 10 feet further back from its neighboring property compared to being right at the setback line, but the way that that visually impacts a neighbor is dramatically different because one experience is vertical height more so than one experiences horizontal distance and I'll show some diagrams that speak to that. So again, this is a simplified version of your mcmansion tent. In here we're just showing it in light gray as opposed to green. And so again, the middle lot is the one that we're going to talk about and how it relates to its two neighbors. Under mcmansion you can build on the left a building at the front of the street. It's got about 20 feet at the eave height under that 32-foot cap, but in the right hand drawing what we're showing there is being 15 feet back you could also build -- I think we showed define feet to the eave. You could build a 29-foot tall wall, have it slope up to 32 feet and come back down the side. So what does that look like when one is on the sidewalk? Right? ' The left is probably more what people were expecting, right? It's more in the scale with the two story building just down the street where that eave is and the overall height, versus the drawing on the right which says, well, I could build 29 feet,

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30 feet to that eave. Eave. So that wall is much taller. So the other thing to note in mcmansion is because of the way sf-3 works is it's a minimum front yard setback of 25 feet. That doesn't stop me from putting the building -- in this case we're showing a setback of about 75 feet. Really put this building way back on the lot, two stories. The same kind of building is built, a building that goes 20, 22 feet or can go as an example to 29 feet to the eave. And what does that look like in the backyard? The scale of what that looks like in the backyard is difference. And we heard that as we walked around the community and so we talked to people. Do you have -- you're in a neighborhood that's under mcmansion. We had one episode where I think we were in crestview. I think he were in crestview. We were in a car2go. We tossed. We saw a duplex that had been built. There was a duplex in the front and back and two stories. We had a neighbor across the street who was a considerate who said what do you think -- contractor who said what do you think of that duplex across the street? He said I like it. I said what about that two story in the back? >> He said there were some concerns about the loss of privacy that happens when the story story buildings are built in the back. I said did people come out and talk about that? He said yeah, some people talked about it. Some people were concerned about that. They raised their voices. And he mentioned that one neighbor in particular was very not happy with this. And when that duplex went on sale, decided to sunbathe in his birthday suit everyday that there was an open house. That back duplex did not sell, at least when we last saw it, was still having a hard time renting. [Laughter]. So again, not everyone going to do that and that's a very particular situation, but some

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people are concerned about two-story buildings in the backyard because of the loss of privacy in the backyards. And so everyone understands, we were in the sidewalk in the front of the building. We are now in the backyard. So the dark green there you see is the grass in the backyard. So you're seeing -- of the adjacent parcel. And you can see very lightly here there's a set of black lines here that show the property line just to give you an occasion of how far away you are. So what are we proposing in the update to the code, to the rewrite? We would like to provide more consistency so we would like to it maintain that overall height consistency, there is a height that's limited in residential. But we would also like to offer up a discussion about controlling the height at the eave, where in that ample much example it could be 20, 22 feet or 29 feet. Can we control that a little bit more and talk about how that relates to our neighbors, because the vast majority of the parcels we're talking about are somewhere between 40 feet wide and 75 feet wide or 80. If you've got 120-foot wide lot that 29-foot high, three story building might be okay if you're far enough away from the edge of the parcel, but when we deal with these narrower lots, really that height has a bigger impact on its neighbors. So in the code what you will see is both in the transect Zones and non-transect Zones and that's saying how tall is it at the side wall and then we do an overall height. I'll be upfront with you, many members of the public have pointed this out to us and we note this as well. There's an inconsistency. In the transect Zones we measure 22 and 32. In the non-transect Zones we measure 22 and 35. Ourests in the next chapter will be to bring those in more consistency so they are likely going to be at 22 and 32. And that is just a

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matter of us making things more consistent. So we talked earlier about the tent under existing sf-3 mcmansion. This is the tent that we proposed in lmdr where you can have a portion of the property can be two stories and a portion of the property is one story. So that kind of a building that's built in the rear of the lot, what if we limited that to one story. Allow people the opportunity, options on where they place their house, do an addition of a building, but still have the privacies of neighbors. We are measuring again to the eave and an overall so we're controlling that height a little bit more. So that in the example on the left here is that's the same house pretty much that we showed earlier in sf-3 under mcmansion. On the right note as that building gets pushed back into the lot, the back half of the house drops down to one story. So you're not taking that two story massing and just pushing it back to the back of the lot. Drop down to one story and relate better to its neighbors. And again as a contrast earlier, this is a view of on the left when that building is put up at the street where it's allowed to be two stories and when it gets pulled further away from the street or it drops down to one story. We've had great discussions with a lot of community members about this concept, and again what we really want to do is emphasize talking today about the concepts because we can work to refine the numbers. So one comment we heard from aia and from individual practitioners, currently we essentially say, if you are further than 80 feet away from the front property line, you only get -- you build one story. So if you're within the first 80 feet you can do two stories. But after the first 80 feet you get one story. Well, it was brought to our attention that maybe that's too restrict active. Maybe we need to allow a little bit more flexibility into how far back into the parcel that goes and we're fine with talking about that. But again are we comfortable with the

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concept and the reasoning why we are lowering the back of the house to one story that we want to preserve that privacy for the neighboring properties. In t3 we handle the building novel differently. In one sense, one can look at what is drawn here as the tent for t3ms small house. Where we are much more refined on where that building is, how big that building would get. I would note that these are rectangles that we attached to each other and can move around. If someone wants to build a building that looks like an egg, they can build it looking like an egg as long as it fits within the bounds of this Neal. Much like today in mcmansion or, the shape of the building can be any shape so long as it fits within that tent. We have heard that maybe this tent is -- this building envelope for transect Zones is too restrictive and we're open to talking about that, thinking of ways of not creating as many nonconformities. That was one of the questions, nonconformities and non-complying buildings. But again the intent here is what we're getting are buildings that are relating to their neighbors and where they're located and in

their height and scale. A few more slides about residential design standards and then I would like to stop and maybe open up for questions and comments particularly about this. So the other parts we talked about that are included in residential design and compatibility standards, the front yard setback averaging. It was recognized that in parts of your community, 25-foot front setback is more than what exists today. So you all put in a system that said, well, if you look at your neighbors and you sight where their buildings are you can average where you locate your building. And that was to acknowledge the fact

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that in this sketch here we're showing the light yellow buildings, this being setback 15 feet from the front property line, and the dark Orange buildings set back at 25 feet. So it's matching what sf-3 says. You all as a community said, well, why should that new building have to be set back 25 feet when all the other buildings around it are closer? So you all implemented front yard averaging. Where that system doesn't necessarily work because the front yard averaging is only to reduce the minimum setback, is what about neighborhoods where the houses are set back, in this case we're showing 40 feet, but sf-3 says 25 feet is as close as you can place your building. One can see that building setback of 40 feet in old west Austin. Different parts of the community, where the pattern was, the buildings were set back 40 feet. So again here in light yellow are the buildings set back in 40 feet and dark Orange is the building set back 25 feet. Again, it sticks out a little bit. It's not matching its neighbors. Apologies. I thought I had another slide. So what have we done in the new code? The non-transect codes, lmdr carries the front yard averaging. It's in the code, it says if your neighbors are closer, you can match your neighbors. You do the same averaging system. In the transect Zones, we offered up an alternative which says what if we have shallow setback, intermediate setback and far setback and you match the conditions so people don't have to do a survey and a say am I close to my neighbor? Do I include that porch or not do that porch? What if the surveyor got the location of the building wrong? It removes those issues and says if we look at the existing pattern, can we map to that pattern? I will say again the first maps that came out

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were draft and maybe the tweaking on what those minimum and maximums that we've described in the transect Zones need to be tweaked, but that's an approach we're offering up to ask is that an easier approach to go ahead and do the hard work now and figuring out wait a minute, this whole block in east Austin is 15 -- 10 to 20 feet setback. So what if we put a zone down that just says that? As opposed to everyone having to go out and do this front yard averaging every time? Residential design standards also talked about accessory dwelling units and accessory buildings, can they get closer to the rear yard? And

they said well, if it's less than 15 feet and there's an Ali, you can be -- alley, you can be five feet off of that. In lmdr we included that. There's there's a foot back that says setback is five when there's accessory structure with a minimum height of 15. In the transect Zones we also carry that further, note, one question came up. Note that that footnote is specifically on accessory buildings and structures, it is not on the primary buildings. It is only on the accessory buildings. So it matches whatever design and compatibility standards are saying. The last item that we're going to cover real quick on the residential design compatibility was this side wall articulation. So in the non-transect Zones that was carried forward that said building forms within the urban core boundary. So it says building articulation. Articulation required for side walls or for parts of the building that are taller than 15 feet. And the requirements are when you go beyond 36 feet, you have to have a four foot offset and that needs to go for at least 10 feet. So that matches what you have today in mcmax. For -- mcmansion. For the transect Zones we do it slightly different because again we control that envelope more so the building can

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only get so long and deep. But we did include in the articulation tool in the code, which is in the diagram letter I, which is saying you need to have that four foot offset. So we carried that forward as well. So that's an overview of how we've carried forward your residential design and compatibility standards and integrated them into the Zones. There have been some changes in the way we have applied those tools or the tools that we're using. But we hope that our approaches meet the intent of what was originally desired. Is there a need for calibration? Sure. I think I look forward to being able to talk with different members who helped -- who are here or who helped create the residential design standards about calibrations that might be needed -- might be needed. And with that I would open it up for questions or comments. >> Mayor Adler: Hang on a second. Yes. >> Just sort of to reinforce at a slightly higher level of -- the current system that you have, as John mentioned, is about adjusting your base zone to consider context, to consider how does it fit better. And so the approach in the new code that's being proposed is built upon those same intentions and those same purposes, but it's handled a little differently in ways that expands your tools, in a way that provides some additional ways of shaping the outcomes, shaping the buildings. And so for example, it ends up we've heard concerns that there are so many more zone districts. I thought this was supposed to simplify. How can we have more zone districts? As John just described, to capture the ability to -- to capture the

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variation of setbacks as they're found in different neighborhoods. This is a way of creating Zones that just do that. You can map Zones that capture that rather than have a process that for a homeowner, an

applicant, they don't have to pay an additional fee to get another survey to figure out what the adjacent property's locations are to know where to put their building, right? So it's a combination of things that are operating right now in your code, again, all with good intentions, but they don't quite get there in certain situations. They don't protect for privacy in rear yards. And again, is that a value in Austin? I think that's important to discuss. And they also add to the process and add expense to getting permits. So what the code -- the draft is proposing is accomplishing the same things, but avoiding some of the additional complexity that you have today. >> Mayor Adler: So again at a really high level with respect to mcmansion, some of the concerns that I've heard from people is that in the ordinance right now there's a mcmansion section, the mcmansion rules. Does the new code have a section that has mcmansion rules in it? >> It does, but it's just not called out as mcmansion. And again, the new code, the standards that you found in the kind of floating on its own mcmansion ordinance, are now integrated in each of the Zones. >> Mayor Adler: What does it mean to be integrated into the zone? >> It means when one is going through the standards and understanding how we have a lot to our need, how tall can I build a building, one does not need to go outside of the zoning -- the few pages one has in the zoning code to find it. >> They don't have to go to another spot. It's right there. >> Mayor Adler: Is the end result that you can build a bigger building

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under the new code than under the old code with the mcmansion ordinances, a building with greater volume, a greater -- >> So in lmdr, while there is -- there is an error that's been noted on comments about lmdr still maintains the F.A.R. Limitation that residential design understands implemented. So it's 2200 square feet or .4 F.A.R., the greater of, I believe the text right now says the more restrictive, but it said say the lesser of the two or the greater of the two. In the transect Zones we're not using F.A.R. As a tool for limiting the size of the building. So in the same sized lot, if we -- in the examples that we're showing today, I believe they're 50 by 135 lots. What is controlling how much you can build is that much more refined building envelope that we're proposing in the transect Zones. In the cases of a 50 by 135-foot lot, that is incrementally more square footage you could build. As that lot gets bigger, that building envelope, you might be able to maximize that building envelope more, but the amount of building you build on a house begins to decrease. An example, when we went to the homework landmarks commission last night when one goes around the neighborhoods, in particular zilker, one can see a lot of examples of one story one buildings, larger two story buildings that are historic. One can also drive around and see that there is that same 2 story building on a 150-foot wide lot that's

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150-foot deep, but the size of the lot is no bigger than you see on the house in the 60 by 135 lot. Same story, same size. There's the maximum size that a house gets to in any given neighborhood and that's what the transect Zones of offering up. The building envelope doesn't grow as the lot grows. >> Mayor Adler: And contrast that with what the mcmansion ordinance does. >> McMansion in sf-3 it says it's a simple F.A.R. Calculation. So if one has that 50 by 135, one can do X amount of square feet. If we now go to 150-foot wide lot by 135-foot deep you with build three times as much house because F.A.R. Is just is a simple calculation of saying how big is your lot and how much can you build? So it keeps growing in size. And that has no relationship to what is the typical width and depth that you find in the neighborhood for the typical house. >> Mayor Adler: And going back to the first statement you said on the small lot under the proposed code right now, it would have a house that would be incrementally larger than what the mcmansion ordinance allows. Tell me what you mean by incrementally larger. >> Sure. If I can move two slides around real quick so I can flip between the two. I'll show you an example of that. On this slide on the left is a house again that is a lowered eave. This is under lmdr or under sf-3 mcmansion today one could build the building on the left. On the right is what you could build on your t3

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n.ds. It has that second wing in the back. There's this wing that can be built. From the experience from the street, it's the same size width of the house, same height. So they are really controlling what is the size of the feet and how far can the building get. So that's a trade-off in your mcmansion ordinance -- sorry, that's not mcmansion today. In your existing mcmansion ordinance there's a lot bit of uncertainty where this building goes on the lot. It can go anywhere on that tent. As long as it stays under that tent, the house can go anywhere on the lot. >> So this is again part of the features of the form-based approach is it really allows us to create regulations, to calibrate the regulations in terms of sort of the character, the qualitative aspects, versus the old zoning tools such as F.A.R. That go purely by quantity. And the trouble with quantities in numbers, a lot of times, is that they just get people focused on arguing about the number. .4, .45. Can anyone really visually describe the difference between .4 and .47? Or .4 and .52? I mean, just in terms of visual physical terms, it's a number. It's a ratio. And it's used in zoning in a lot of places. It's not used in a lot of places that have regulations that are based more on controlling the form and the character of buildings and how they relate to the site and

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how they relate to the other buildings. So that's a little bit of what you're seeing here as John is describing is, well, the actual quantity I think in a t3, sort of the effective F.A.R., might be more than

what you can do today. The control on the form and where the building goes and the massing of the building is more dialed in to the character and the scale of the way neighborhoods are today. >> Mayor Adler: Okay. Councilmember alter? >> Alter: Thank you. You may have just been explaining this, but I'm still missing something. It's part of what I understood of the mcmansion is it didn't work on the esthetics. It also did that size component. And if we're moving away from the F.A.R., help me understand what we're doing in the new code that is restricting the size, which was, I think, part of the reason for the mcmansion? I'm not saying that I'm disagreeing or have any grounds to disagree with what your comments about the need for being more neighborly, but I'd like to understand how we're adjusting to size. >> Sure. So in the transect Zones, each of the Zones has a table D and the table is called -- table D, which is the building types. In this building are refinements on the lot size, so what is the minimum lot size you need to do that building type? And that building envelope is much more refined in terms of how big a building can get in terms of width and depth. That is much more controlled than what mcmansion offers today. So mcmansion is simply how much can I pour into that building envelope that we showed regardless of it is it -- can I do 29 feet on the side wall?

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It could be all one story, it could be three stories. As long as I fit inside there, it's how much I can pour in there. With the transect Zones we're saying we're going to control more about where that building lands, so it's at the front of the property, which is more the typical pattern, but it's not in -- that it's not in the backyard causing privacy issues with the neighbors. But the trade-off there is that we're saying if we make the building at the front of the street look like its neighbors, where it's 22 feet at the eave and 32 feet 32 overall, does it matter how much deeper it goes if we get a little bit more square footage into the parcel or not? >> Alter: That doesn't really get my concern about size. >> So size, there are different parts of size. There's height, which we are offering new tools for dealing with height. And what the F.A.R. is really saying is volume. It's like how much square footage. >> [Inaudible]. >> That's true. >> Alter: I guess that's what I'm trying to understand. I took a particular example and we applied mcmansion and we applied the new code, what size house, square footagewise, would I get in one versus the other? Because that size is part of the experience beyond the height because you could have a height and a small square footage and you could have not as much height and a large square footage if you have a big enough lot. >> So in terms of the floor area, the amount of floor area, I think in the t3 compared to the sf-3 on a 50-foot by 120-foot deep lot, you can get sort of an equivalent -- you can get more square footage in the t3 than the current sf-3. More square footage, but

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the massing -- the way the building appears from the street and how it's shaped on the lot is smaller in scale. >> Alter: Right. If I'm concerned about size, because size affects affordability, the bigger my houses are the less affordable they're going to be. So in we're creating a situation where we're increasing the size of the houses, we're going to increase the cost of the houses, in terms of people buying it it will be more expensive and you want /get to/get more affordable housing, you will just get a bunch more big, expensive houses there. We're incentivizing an entire change in the city and if what we want to incentivize is the creation of even larger houses that are going to cost more, it seems to me that what you're suggesting leans in that direction and that's part of what I'm trying to understand about the code is what are the incentives we're creating for the cost of housing, the size of housing and displacements. And I'm trying to understand this, but what you just told me, if I understood it correctly, is that you're going to get bigger sized buildings, they'll be in a different envelope and it will esthetically appear better, but it is going to lean towards increasing size as it is currently drafted. Is that correct? >> I would -- >> At the same time it's also capping, unlike your current F.A.R. Based system because today in your F.A.R. The bigger the lot the bigger the building gets. As John was describing, in fact, there is an upper limit to how big. So on one end there's also introducing a limit that you don't have today. >> Alter: But for my average lot that say I have in rosedale I would be getting a bigger sized house. >> You could. >> Alter: I could

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under this. >> You could. >> Alter: Which would cost more, you know, than a house that was 500 square feet less. >> So one thing I just want to emphasize again is the code would allow a bigger house. It doesn't necessarily mean you will get a bigger house. And I know the experience we've heard, experiences that people tend to maximize the envelope, but it is not the code is requiring or making the houses bigger. It would allow a bigger house. >> >> Alter: I guess when I'm looking at the code and trying to evaluate it, I'm trying to understand what are the incentives that we are creating. I understand that the market is not always going to take advantage of all of those, but I think it's important that we understand where we're going in terms of the incentives that we are creating. And if this setup is going to create a whole bunch of bigger houses that are going to cost more, I don't see that necessarily leading to one of the goals of affordability, and there is at some point at which the size of the size doesn't need to get any bigger even if you've got four kids. >> So there's a way -- again, there's a calibration issue, so there's a way to adjust if the desire is to adjust on the amount of square footage. So I think the important thing is one of understanding what are the other attributes of the new approach that work. And if there are certain things that, for example, if the total floor area potential is different than today, is that a reason to throw out the whole thing or is it an opportunity to say, well, how can we calibrate the total square footage, but then show compared to today and get the benefits of all the other things that are being proposed. >> Sure. So let me see if I'm understanding part of the direction that you're going in your approach today, which I think is slightly different than what I've heard you talk about before. Is today you're saying these are the directions

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we're going. These are the goals that we've had. And this is how we operationalized it in this draft of the code, but that those are calibrations that we could change to accomplish more or less of these goals in the process. And that we might have a choice to make, say, if we want to calibrate this part of the mcmansion to be lesser square footage. Is that correct? And if we wanted to do that in this particular example of calibration, what is the variable that I would change if I wanted it to be a smaller square footage? >> So -- yes. So the question today -- the way we want to present it was these are the tools that we're offering. We can work with you all to calibrate if you want to specifically talk about, well, maybe -- I just did some back of the napkin numbers here. I have to check these numbers. But a 50 by 135 at .4 F.A.R. Is about 2700 square feet of a building. If I'm remembering my numbers correctly from what we modeled, the 50 by 135 that we showed today in the t3 is 3300 square feet. So that's a .48 F.A.R. But remember now if we go from a 50 by 135, that's a 60 by 135-foot lot, my recollection is that that number, total number might go up to 3400 square feet that you could build, but that is at the same time what the lot is growing, the house is growing a little bit, but the F.A.R. Number is coming down closer to .4 to which you now have in lmdr. When one gets to about 85 or 90 feet, is my recollection, you are actually matching the .4 F.A.R., lmdr. >> Alter: If I was in that situation from the .4 to .48 F.A.R. And I

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have about a 600 square foot difference and I don't want to incentivize that, what is the variable that needs to be changed? >> I will say we can work with you all -- there are options. We can think about changing the envelope that we've proposed. We could talk about introducing F.A.R. As a limiter. There are different ways that we can do that, right? But the question is first are you comfortable with that approach of the way that we've looked at the building envelope in the transect Zones where when you are in a small lot your F.A.R. Might be higher, but as that lot gets smaller in the zone the house is getting smaller. But the house you can still build is still a sizeable house. I would note also that there is this interesting map that's about six or seven years old that's up in one Texas center that shows the current F.A.R. Limit -- the current existing built F.A.R. In your city. And in the urban core where mcmansion is applied there are a lot of houses that are above .4. Some of them might be new buildings that are completely out of scale with their surroundings. But my guess would be some of those are actually people are completely comfortable with that house even though it's above that .4 number. >> Alter: I live in a neighborhood with a lot of smaller lots and a lot of the people in the city do so we care about what happens to those smaller lots. If you're saying there's do going to be more building on the smaller lots, if you've got a lot of smaller lots together there's a whole bunch of environmental

consequences and incentives that get created for demolition. And we have to understand what the code is doing in that regard. And it may be great. I just don't understand it at this point. I want to be clear I'm just saying that I'm trying to understand what this is incentivizing.

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>> I think the simplest answer to your question is which lever would we pull? Is you could just carry forward your current F.A.R. Limit and apply to the T zone. >> To the t3 zone. >> To the t3 zone, right. So F.A.R., sf-3 becomes F.A.R. Control in t3. Basically, the intent that are often referred to or the envelope, could you go to one of those? >> So the envelope is -- it isn't how big a building can be, just we want to make it clear, it's a tent that's that big and then under your current system they give an F.A.R., you can put a building however you can configure it, but it can't have more floor to area ratio and it can go anywhere in that tent. So in the transect approach, in the form-based approach, it's similar, it's just that the tent is a slightly different shape such that it protects more for privacy in the year regard. And it positions buildings in the front yard to sort of automatically be consistent with the existing conditions. And in doing so, again, in doing so, it does shape the tent a little differently than you've got right now. And in standard form-based code practice, the trade-off is that better shaping of the building form, in most instances allows folks to worry less about the actual quantum of square footage because the potential envelope, potential scale of the building is not as much of a concern.

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If the concern is we want to limit how big houses can -- how many square feet -- I wouldn't say how big. How many square feet floor area, so in this case maybe the difference of two more rooms. Then the F.A.R. Could be, if you applied the same F.A.R., then you would be carrying forward your current limit on square footage. >> Alter: I'm going to let somebody else go, but maybe you could get us a chart with those numbers comparing the square footage differences under the current version versus the existing? So we can see those calculations to understand what the trade-offs will be and then we can play with calibrating that accordingly so we don't incentivize so many demolitions. Thank you. >> As I mentioned earlier, that is why I was saying that this presentation and next Wednesday's presentation are very intertwined. That is one of the things that we will bring with us next week is as we talk about specifically sf-3 versus lmdr versus t3, I will tell you -- and T 4. For that we are picking one zone and building types. Especially for the transect Zones because there are many iterations so we can have the exemplars to talk about. That is what we plan on bringing next t2,. >> Pool: I'm looking at the residential design and compatibilities standards, the last slide that we had up, and I was doing a little bit of square footage calculation, and looking at the proportion on the size of the lot. The reason why I was doing that is the

one item that isn't on here is the maximum impervious cover, which also controls how much can be built on the lot. So I was going through this and it looks like these small house, wide house, the various sizes here look like they would certainly be less

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than essentially 45% impervious cover that we generally have, at least in my district I have a lot of 45% impervious cover maximums. That also controls how much you can build on a lot. The building envelope you have on here were these specifically targeted to stay on that or was it random or was it intentional? >> So the envelopes we picked were picked because they matched buildings that we found in the community so that you could fit that building and giving a little bit of room, right? We've heard from aia there are many cases they may need more room, may need to be a little different. Remember that in the way that we've formatted the transect Zones and I know one of these -- we need to come back to you, talking about how we have worked with pc/zap on reformat latin the non-transect Zones so they are presented in a similar way. When one opens up the transect zone and -- we're going to hold up the code for a second here. The vast majority -- >> Mayor Adler: Can we go to a camera? >> I can put it right here. When one flips through the code and it goes -- you go you through the six or seven pages for an individual code -- >> Mayor Adler: Hold on a second. We don't have the visual. >> So when one flips through the code, whether it's the first page, the second page is the page that councilmember pool was remarking about in terms of the building envelope where we have table D. When one flips through these six pages, all of these standards are the constraints, the constraints that limit development. So in no cases one standard,

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what we will call sometimes when we look at zoning, the limiting factor of what you can do, right? On a very small lot. So if one was to take specifically a 50x150-foot lot here, one would not be able to build out the full building envelope because of setbacks, because of depending what kind of parking situation you have, do you need -- are you parking from an alley or are you parking from the front of the lot? Parking from the front of the lot, one needs to take into account having a driveway that goes back to where the parking is versus a building that has parking from an alley, you can put your building close on setback plans because you don't need a setback for that driveway. There's also the impervious cover both for the building. So they work together. A big limiting factor on the small lots will be the impervious cover, right? Again, as I mentioned if one goes to that 150-foot wide lot by 135 feet deep, in the transect Zones, the impervious cover will not be the thing that limits you in how much you can build to that point, in terms of building. At that point the impervious cover, the way that you have your sf-3 set up,

your building cover is .4, your F.A.R. is .4. So one can either build, assuming you have no other buildings, a one-story building that is 40% lot coverage, which also is your .4 F.A.R., or one can build a two-story building that is a -- that is -- two-story building that is a .4 F.A.R. That has only 20% lot coverage, right? What I was saying, when you get to that bigger lot, the impervious cover isn't going to be the limiter anymore. It's going to be how big is that envelope that we described? Right? So in about -- in -- on the small house, about 85 or 90-foot width lot you're matching that .4 F.A.R.

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It's 150-foot wide lot, your F.A.R. Number is actually dropping down -- again, I don't know the exact numbers, we'll come back with exact numbers next week, it's, like, .36, right? So, again, there are -- there's no one thing in any Zones that controlling. It's really dependent on how big is the lot. There's a lot of factors that go into it. >> To the question about impervious cover, it's the same as it is today. >> Pool: Right. >> So, again, to the other conversation on the floor area under the t3, as proposed, you would be allowed to build more floor area, more square footage in a house, in this more controlled envelope. But even if you built -- you did choose to build that additional square footage, it couldn't -- it wouldn't create more impervious cover. The impervious cover controls the same as it is today. So a bigger house doesn't mean more flooding potential, right? Necessarily. The footprint of the building is still limited in terms of its impervious cover. >> Pool: Still limited to 45% impervious cover. >> Same as today. >> Pool: That has been -- when we identified some of the constraints on the building on lots, especially lot of smaller lots maybe 70x100 for an example or 50x100, people relaxed a little bit when they realized that the entirety of the parcel can't be filled with a building. There was an assumption that you'd be lot line to lot line and the houses would be lined up in a row and there wouldn't be anymore yard and they live in these houses with yards on purpose. And so as we've dug into this more and started talking about things like, well, can't go any higher

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than this anyway, and you've got your east. And setbacks and so forth, it has in fact relieved some, not all, but a portion of the anxiety. So I think our conversations that we're having here are really helpful, yeah. Thanks. >> Mayor Adler: The 600 differential that you gave, did it take into account impervious cover? >> Yes. You would still be -- have to stay underneath the impervious cover. >> Mayor Adler: So the 600 you calculated took into account the impervious cover limitation? >> Yeah. Again, next we'll we will have very specific numbers that we can talk about. >> Mayor Adler: Okay. Mayor pro tem and then councilmember. >> Renteria: I just have a quick question. My question is on the -- because I live on a corner lot and I do have a small lot, you know, so I'm restricted on what -- and I do have a secondary

unit. But what happened to me was and when I built a garage, they set it 15 -- said 15-foot was okay but then came back and said, no, you have to set it back 25-foot. And because of them coming up and saying they're -- I have to go to the board of adjustment, I had to go out and rearrange the -- get my check to redo the whole building structure why I had a design where I didn't violate my neighbor's privacy on both sides, but because I had to redo the thing, I had to build one -- I had to look back at my roof and my neighbor on the side here and my neighbor in the back in the garage apartment. So I -- with these transects, are they going to set the setback from the corner houses where we won't have that mistake anymore? Because they came back later on -- I learned five years later that it was a mistake, but it was too late for me. I had already had built my

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secondary unit. >> So both the transect and non-transect Zones have both a front setback and a side street setback. And so councilmember, I would have to understand a little bit more about where the garage was located, but the one thing I would offer is the non-transect Zones, so the Im-drs, they do that front yard averaging so if your existing building was at 15 feet and your neighbors were also I'm assuming probably close to 15 feet. >> Renteria: Yes. >> Then you would have that opportunity to say, yes, I should be able to take advantage of this and place my garage, you know, at 15 feet or close to that. >> Renteria: Yeah, because -- >> Not at 25. >> Renteria: My balcony was going to be allowing at the pool and I -- looking at the school and I couldn't extend my balcony out past 20 -- I had to set that 25-foot back. So I had to cut that balcony, rearrange it somewhat, the house. But they couldn't come and tell me, which was, what, 15, because the corner house has a 25-foot setback and a 15 and I asked them why do I have to build a -- my secondary unit with a 25-foot setback from the street line? On the side. Because that's where my driveway was gonna be at. And I still was required to -- I mean, 15 instead of 25. Because my house is 15 feet and they couldn't give me an answer and I had to have it set back 25. >> So, again, each -- both the non-transect Zones and transect Zones differentiate between a side and street setbacks and often the side street setback is less than the front setback. It would -- it really, councilmember, would matter which zone was applied to your property but, again, in the non-transect Zones we have the opportunity --

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>> Renteria: I want to make sure it's clear which someone does want to build something like that that someone can tell me, yes, and not have three or four different answers when I go to get the permit. >> I think one of the things that will help is now one -- to find that front yard averaging doesn't have to go to a different part of the code. It's right there with the rest of your zone standards so it's something harder

to misin terms of review. >> Renteria: Thank you. >> Mayor Adler: Mayor pro tem. >> Tovo: I have a series of questions. I think I need to does first, though, did you have an opportunity to run any of my numbers that I posted in questions on the board? If not, that's okay. We're trying to understand how this would be different from existing mcmansion in terms of square footage and other things and I wanted to check the numbers that we had against it. But I do think, if not today, that I do -- maybe perhaps for next week, I think it would be very helpful for us to have a comparison between an existing - again, to my colleagues, this is on the message board. I was posting until about 1:30 A.M. These scenarios online but I don't think it was probably enough time for us to get the information but I do think we need it. What can you do under existing single family three regulations are mcmansion today? What would you be able to do under transect zoning in the future as proposed, and what would you be able to do in non-transect residential zoning? We really need that level of detail. Like, how many units are available -- allowed on each tract? What could be the total residential square footage? What is the total floor to area ratio? What is the required number of parking spaces for each of those scenarios? And what is the total allowable impervious cover? Because one of the things that your scenarios don't -- that the models you are doing don't take into did the, you talked about price

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having been so -- privacy having been so important with regard to mcmansion and if we had 30 minutes I could show you a couple banner examples of why that was such an issue for an -- and argued for the need for the single family compatibility standards. I mean, the buildings that were getting built before that as you probably have seen some examples of were just edifices, line entire yards with just nothing but unmitigated wall. And it wildly impacted their adjacent neighbors. And so things like the sidewall articulation I'm going to think a little bit more about what you've said here today but in the scenarios you've showed us you haven't showed us a total build out on any of those tracts because all of them now, Im-dr, t3. It's not really true and they take advantage of what will be a buy right development to build an accessory dwelling unit in the back. Just to share with you the numbers -- I should also say I'm very fortunate to have surrounding me my planning commissioner, I believe, served on Marc mansion, my board of adjustments -- commissioner served on the mcmansion, two of my dear friends did, senior policy advisor worked on it so all of these people helped draft it. They -- I'm getting all kinds of great information from them. But we ran a very draft example and I'm not sure if these numbers are correct, but looking at a 60x100 square foot lot, about 6,000 square feet, not atypical numbers I standard y'all to look at. Looking at that, it looks as if the building envelope could create about 15 -- a house of 1536 footprint, could be two stories, so

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you're looking at about 3,012 square feet, these are really as you used the expression before, back of the napkin numbers. In the rather there, you can build about 440 square feet, still part of the primary residence, you're up to about 3500 square foot primary residence. If you added an Adu, not limited by .15, the Adu could be about 671940 it could have a second story, now you're looking at 1344 square footage in the Adu in the back. That results in a total residential space of about 4800 square feet where once you had a 2400 or .4, whichever is the greater. So, you know, the numbers I'm seeing come to me and we haven't verified all of these but show F.A.R. Of .67, you know, as much as .67. While many people wouldn't recognize visually or be able to distinguish between an F.A.R. Of .4 and .45 they sure might between .4 and .67. I really hope we can get some concrete examples of what this would look like under existing, under Im-dr, and under transect. And I would just caution us, again, you know, this is a code that has to last a long time in Austin and just thinking about all the various discussions that future councils will have, I think we need to continue to tell the public while these things are embedded in the categories, that doesn't mean they're exactly the same provisions embedded in. You're embedding them in but they are different provisions in many of these circumstances. I want to be careful when talking with the public and they're hearing that many of them are hearing at first these provisions are being embedded in and will be exactly the same and that just really isn't the case. I'm not sure if it's even the case for Im-dr. But it's sure not the case for the transect proposal.

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So I guess I just -- I don't know if those numbers are correct but I do want you to maybe respond to the point I raised about your scenarios not showing what's happening on that rear part of the tract where there could be a two-story accessory dwelling unit. >> Yes. It doesn't. We don't -- ads. Part of our discussion next was to talk about full buildout right? How big can a single family house get, like when an Adu is added? That was again part of the discussion for next week. Today we primarily want to focus on the tent that mcmansion was placing. So we can definitely address those next week. We will -- I think we can run the numbers in a 60x100. I think what we have generally found is a more typical lot depth is closer to 120 or 135 so we may Lunn those numbers as well. >> Tovo: Whatever you regard as a typical, just a point of comparison. I think I threw out 60x100 and also one that equated to 5750, whatever the minimum lot size is. Makes the most sense if you could track it through the three different scenarios. I appreciate you're trying to segment the conversation into digestible chunks. That's very helpful because it's so complicated but I'm trying to understand what value the new provisions are over what we have, and it -- that's why I really -- the privacy -- the argument about privacy just isn't ringing true for me because we're not really seeing the full buildout. I think, too, your suggestion that perhaps F.A.R. Be added back into transect Zones is a very good one, and I'm glad we're having the conversation today because I'm going to add that to my comments. I think that would probably provide more of the balance that I'm hearing. A need for.

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>> Mayor Adler: I think as we go through this, the concept of calibration is a big part of -- and councilmember alter, I see this exactly, what this process is. We have a code that's laid out that we want the whole community to be weighing and talking about about calibration issues. I don't think anybody thinks this is static so we want that out. And, mayor pro tem, I hear and understand and see that the Adu, in addition hot house, adds an additional element that we need to look at and be anxious to hear that next week. It is good for me to better understand -- and this was very helpful in understanding the component of what is the building envelope without the Adu because there may be instances we don't want to have ads or places we don't want to have those and understanding the base issue with respect to that is helpful. So how they combine is very important and what they are individually is also very important to me with respect to the calibration issue or the ultimate decision issue. And, obviously, in our sessions here we're not going to be making any of these decisions. We're leaving it to the community and -- to give us comments and then for the boards and commissions to give us comments. But daylighting them in these conversations I think is really helpful. Mr. Casar. >> Casar: So keying off of both councilmember alter's comments and what the mayor pro tem just mentioned, how does the -- how does the new code or -- and other cities, how do they handle floor area per unit? Because as councilmember alter said, there is the aesthetic portion but then there ISES are just when you're planning out your city, there's a difference between 2700 square feet if it is for just one single

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family house as opposed to 2700 square feet if it is contained within three separate units on that, on that piece of land. And so it -- I understand that mcmansion is a tent and that that is kind of what we're handling today but since we're kind of dabbling in that I didn't want that question to escape me if we are dealing with floor area now the current code is that segmented by unit, if at all? >> Sure. So in our practice, we tend to -- in t3 and t4 Zones we tend to move away from F.A.R. 36 every city is different. We've worked in other communities where .55 was the F.A.R., and .6. But what we work towards is trying to find how can we -- because in many situations in other -- in communities, it's not so much the number -- the amount of square footage a person can build but it's how tall or where on the lots that really concerning to people. Again, different communities, different aspirations, different desires, but that is the direction we've gone both in t3 zoning, single family duplexes, cottage courts. In particularly t4 Zones, we move away from the F.A.R. Number because it's more about how does that building look from the street? How deep into the lot does that building get? That is the primary concern of people. One of the slides that we showed early on in the process -- and I'll be honest, I don't remember if we showed it to council or not, was two buildings that happened to be in another town in Texas which I won't mention the town because I hear I'm not allowed to mention that city in Austin but it was a four

unit building. There was a four unit and eight unit buildings. They looked the same from the disceet if you look on a plan they are the same footprint but one is four

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units and one is eight units. Again, the size of that building fit in with all of its neighbors. And it wasn't a F.A.R. By number of units. And it wasn't an F.A.R. On the overall building. It was just how big could that building get, right? And that's what we've done in other communities. We have tended to move away from F.A.R. Particularly in the t4. >> Mayor Adler: Okay. I understand that issue. Just a couple more questions we have about 35 minutes to get to the compatibility so let's get questions out quickly. Ms. Houston. >> Houston: Thank you. When we did our ride out on east 12th street near airport there was a two-story apartment complex, east 12th street apartments, I think managed by integral care, about 15 units, I believe. A condo regime. So condo regimes are not required to fit in a tent, this is just for single-family homes? Because those houses -- those condos, as you remember, were exceptionally tall, have blocked out the sunlight from the units next to it so they weren't required to do mcmansion ordinance? Or is it just single-family homes? >> Councilmember councilmember Houston, I would have to look back as to what the zoning on the parcel was when -- before -- when it was built. What I will say is that the discussion today, in terms of the tent, is focused on certainly single family, so sf-3 zoning. >> Houston: So if that was the case in the old code, then it's potential that that condo regime could have been built and been completely outside of the tent, way over 35 feet? >> And my -- from the recollection of some of the buildings that fit the description you're describing, it was probably an mf-3 or mf-4 zone.

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It might have been an cs-mu zone. Those Zones use -- don't have the mcmansion tent on them. In the new code, there are -- we're allowed to talk about some of it, is the compatibility standards, which do regulate some of that height issue. >> Houston: So is there gonna be consistency across all the T Zones regardless of where they're located now so that those requirements are consistent everywhere outside of the urban core as well as inside the urban core? >> So in the transect Zones, regardless of where they are are the same. Lm-dr, which is carrying forward your sf-3, is a little bit different because you as a community placed the mcmansion regulations on the urban core, but you did not place it outside of the urban core. So Lm-dr has two sets of form standards. One set for within the urban core and one set for outside of the urban core. >> Houston: And so of course since the urban core stops at 183 in district 1 everybody outside ofese -- east of -- east of 183 is -- no design standards go forward? It's kind of like the wild, wild west? >> As mapped right now and as described as to where the urban core boundary is, the - in the Lm-dr standards, you would not -- the mcmansion would nothing like that apply. >> Houston:

Okay, thanks. >> Mayor Adler: Okay. Ms. Pool, then councilmember alter. >> Pool: Where are we with the easements or the setbacks? I think I read that the setbacks had gotten narrower, but that there was some conversation about bringing them back to what they are currently.

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The reason I ask is we have a lot of important trees, a lot of our urban forest is in those areas, and if we allow buildings to encroach we will be taking down a lot more of the trees. It's a heck of a lot cheaper to let the trees clean the air than it is to, you know, even get rid of cars. >> So, councilmember -- >> Pool: We don't want to cut down trees. >> Two things. Heritage tree ordinance is still in effect, and there's still the tree preservation ordinance. Both of those are still in effect. There is still the efforts you have today of preserving trees exist. In particular to the setbacks, we have heard and we've reviewed and we've looked at maps, we've heard from pc/distinguished service award zap, from aia, for instance, lm-dr in the draft that came out today has a 15-foot front setback. We are dynamic we expect in the pcz zap draft that front setback will go back to 25 feet, which is what sf-3 is. Then the other setbacks in lm-dr currently match sf-3. The other item that we've heard is in the t3 there's a desire -- we had changed the rather setback from 10 feet to 20 feet and that was in many ways part of us trying to preserve or say, we really want to keep at least 20 feet in the backyard free from buildings. So that interesting trees or new trees could be planted. What we have found is we have -- as we've mapped and as we've heard from the community and as ai has reviewed, that may run into some of the problems that were raised about nonconformities because currently today -- you've had this 10-foot setback in the back for a long time, also in the pc/zap draft

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that will go back to -- so in the t3s and t3 t4s they'll match. >> Pool: My staff wrangled with that legal question about a month ago and I don't remember or know what the -- if we even came to any kind of an outcome but I'd probably want to check with our legal staff if there's a way to authorize or grandfather in the legal nonconforming so it didn't have any -- doesn't have any negative effect on property values or someone wanting to sell and they've got an Adu and it's encroaching. We don't want to penalize people but on the other hand we also aren't looking to load up which, again, we would be constrained bit F.A.R. Or the impervious cover or the height restrictions, but in this instance I really was also trying to remind us about our natural environment, more than the built environment. It takes a lot longer for a live oak to grow to a stately size than it is to build even a mcmansion. >> Right. >> Pool: So we don't want to lose them inadvertently or do anything to encourage them to be cut down. >> In terms of the noncomplying -- or nonconforming in many communities we work in the nonconforming

standards, there are options and ways in which you can say that building today is -- it might be -- it may still be nonconforming but maybe it's complying, it's complying with the intent. And you can do in addition to that parcel -- that -- whatever is the noncompliance so long as the addition is not furthering the noncompliance or nonconformity. >> Pool: Okay. >> So if -- for instance, today, you have a 10-foot setback in the rear on sf-3. You might have buildings today that are only 5 feet back from that rear property line so they are nonconforming today. In some communities, they're willing to say, you know, you can still add to your house and leave that

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nonconformity of it being within 5 feet of your setback you just can't continue to build on that. So you've got to build where you're allowed to build based on the setbacks so there are ways we can work with the legal department to figure out how to put something like that into effect. >> Pool: I think that would be really helpful. Kind of book mark that. Thank you. >> Mayor Adler: Councilmember alter. >> Alter: I want to echo that and I asked those questions on the message board yesterday. I'm hearing from people that they're really trying to grapple with what does this mean if they want to renovate, if they want to add to their house, if they wanted to put another units if they wanted to do an Adu so we really need to get some clarity on what it means and what the processes are if there's nonconformity. So I'm not sure how that will take place or when you will deliver that. Could you clarify that? >> Well, right now, we have noncomplying standards which we actually lieu to expand -- allow you to expand, can increase the nonconformity, usually not more than 25 feet parallel to a property line. So if you're sitting in a setback today you could add onto the building and go parallel. I think the suggestion is that we still provide a means under the new code to allow for an expansion of a legal noncomplying structure, meaning when it was constructed it complied with the code. >> Alter: I think we'll need frequently asked questions or something that explains this because I still don't feel like we have an answer I can hand to people and say this is what this means for your ability to renovate, particularly when you're talking away exemptions and different things and I don't understand all the nuances but there are piece that's all interact to affect that that I'd love to see some elucidation.

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Mr. Mickey, I wanted to go back to something you said. Did I understand you right, you're saying that the thing that the neighbors are most concerned about was height and form? >> That is -- again, it is a concern we've heard. We've heard it here in Austin, we've heard it in other communities. If I said it was the -- it is a concern we've heard, I guess is what I'm saying. >> Alter: I can understand that's a concern you've heard but I just want to be very clear that that's not the concern that I'm hearing as a

councilmember. I'm hearing that people are concerned about being able to live in Austin, whether it's to be able to afford a house that they're already in or to be able to move to someplace in Austin where there's a new unit that they can move into. And so I think that that is much more of a primary concern that may come before the concern that you referenced, and I am mindful of and concerned about the entitlements that we are creating and whether they accomplish those affordability goals, whether it's to stay in your house or whether it's to move into a new house and that when we create entitlements for 600 or more square feet and all of these other things we are creating a domino effect that we need to understand. We may choosing to that way. There may be reasons in some instancing to that way. But we need to understand what is being set in motion by this. If there are levers as we celebrate this that can allow us to control the size of the units and other things so that we are going to get closer to dealing with the crisis that we have in Austin, which is not one about form and height. It's a whole different other question. Now, how we solve that problem has an impact on how people feel their neighborhood and height and form are obviously parts of that, but there are consequences that come if we solve the height and form and we create this other set of problems.

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>> Sure. >> Alter: And that is something that I'm trying to understand with the code and that a lot of people also are trying to understand. And it may very well not go in that direction. I just don't understand what the incentives are. That it's creating. Thank you. >> Mayor Adler: Just to expand on that and before you start on compatibility, which you need to do now, there might actually be ways not only to disincentivize things we don't want but may be ways to disincentivize things that we do want. So if the primary character is about how the building addresses the street and that's where we put the bulk of the controls, should we have flexibility so that older, smaller homes are able to expand even if nonconforming so that we're not putting the order existing -- older existing home in a position where we're invent advising it being torn down but we have a rule that says if you keep the house that's there then you can expand in ways that perhaps you would not be able to build a new home, so as to incentivize the expansion or addition to an existing home rather than a tear-down situation. Might be something that takes a look at that says one of the principles are we don't want to have demolitions so you can maybe do something in the backyard, in the form control that you can't do. If I have an existing home on the lot and I'm trying to live within the new design standards, I might not be able to just because of the placement of my existing home and I may be forced to tear down the home in order to be able to build something on the lot. And maybe there's an incentive we can give or to

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recognize, hey, you have a home, unlike the Normal things, where we have a nonconforming home and if there's injury or damage we don't want that person to build back, maybe we want to go the other way, we do want them to be able to, so a nonconforming home in a transect area we might -- we might think about differently and in a more positive way in terms of giving greater allowances to that than somebody that's building new. So I would just throw that out as a concept to think about as well. Can you go to -- mayor pro tem and then compatibility. >> Tovo: I have two questions. Quick ones, though. One -- I'll just say I really like that idea, and one of the comments that I'm submitting today is not a full-blown -- well, it's not even a partial suggestion, but just a request, that in the next revision that there be some tools offered that could help preserve existing housing stock. And so, mayor, I like that you think that's in the spirit of that so thank you for that suggestion you offered. Are garages exempt from -- and I can submit these through the q&a if that's easier, but it's not clear to me how garages factor into the mcmansion standards that were covered, the new mcmansion standards. So garages. Do you have a sense of how many structures in the city would be non-compliant? Were we to keep -- >> Not currently. >> Tovo: Okay. And I'm not sure, and I'll just mark it and maybe we'll have an opportunity in the weeks ahead to talk about it. I'm not sure I understand what your comment is earlier about mcmansion as currently configured not working in the city. Maybe we can revisit that at some point because that might help me understand the benefit of some of the proposals you're offering.

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>> Okay, sure. >> Tovo: Thank you. >> Mayor Adler: Okay. Let's go to compatibility. >> So today just to be specific about compatibility, we're going to be talking about existing title 25, article 10 compatibility. Again, I think as we've talked with y'all as a community in the past, compatibility is -- takes many forms in the city of Austin but specifically today we'll talk about article 10. That really has to do with height, screening, design of buildings, scale and clustering. The imagine shown on the screen sheer is kind of this radiating pattern that happens from the way the compatibility is implemented today. So compatibility today is -- if you are a single family use, land use, or if you are single family zone, you trigger compatibility on adjacent particles. -- Parcels. When one looks at how that actually maps when one understands where the land uses are and where those Zones are you get these patterns are each of these rings indicate whether you can build a building and then how tall a building can be built. And the thing about the way that the compatibility is -- it's a great intent, right? Let's try and introduce the ability to have buildings closer in scale to their adjacent neighbors. But in the way that this is implemented, it has the unique effect of the question that we raise here, what happens if this single family house that is next to a very large building gets torn down? Or let's say it's a commercial zone but it's a single family use today. What happens when that's no

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longer used as a single family use anymore? The map changes, right? The map is constantly changing, as your city changes over time. That means there's not really predictability for neighborhoods to know how tall a building can get because every time a single family house is demolished or a single family lot is rezoned to something else, this map changes. It means for a developer, also, I don't know what I can build until I go out and make sure that there isn't a single family use hiding in a building that I didn't realize, right? It might be zoned cs but might still be a single family use which means it triggers compatibility. So there's some benefits, right? Compatibility in terms of height. But there's really a unpredictability. It also has a really far reach. Compatibility in the way that the [indiscernible] Work today, to get to cs zoning today, had a 60-foot height limit. To get your 60 feet, you have to be at least 300 feet away from any property that triggers compatibility. So, again, questions happen. What happens if a new single family house is built? What happens if a single family house is lost? This happens across the city. This map is constantly changing. >> That's why it doesn't exist. It doesn't exist. The map doesn't exist. It's not a reference map. >> Correct. So Pierre was saying this is not a map that's actually referenced because it is always changing, always in flux. So what do we do with compatibility? We looked at the Zones. As we moved Zones forward. We are offering a different look at compatibility, trying to get the same intent of controlling -- of

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shaping the scale of buildings when they're adjacent to single family or single family Zones. And in the first draft, we listed what Zones. So the low to medium intensity residential Zones are the t3 neighborhood transect Zones, things that trigger compatibility on neighboring properties. In both discussions with the public and in looking at the maps, the other thing that we've come to recognize is we are considering adding t4 neighborhood as another one of those triggers, the t4 neighborhood Zones would also trigger compatibility. We also recognize now that there are properties that will retain title 25 zoning. There are those properties also should be triggering compatibility or the setbacks. So in red on this slide are no those two things we are already considering and expect in some form will be incorporated into the next draft. So when we say that those setbacks have been integrated into the zone or baked in, what we're talking about is in each of the zone districts, the commercial zone district or the -- some of the transect zone districts what we said is depending on your adjacency, there are either additional setbacks, right, you can't put any buildings in a certain area, whether that's the rear or side yard, but there are also setbacks and what the setbacks are controlling not the placement of the building but how tall can that building be in relation to its neighbors. We have in the non-transect Zones, for instance, if you're within 50 feet of a triggering property the minimum height you can get is 30 feet. Remember that 50 feet you also have to take into account different Zones have different setbacks. Some Zones might have a 20-foot rear setback. What it's saying is the next 30 feet of where you can put

a building you can only build 30 feet max, right, between 50 and 100 feet for that triggering property you

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100 feet you can build the base entitlement that your zone allows you to have. Now, that is different than the way compatibility works today. But what it does is it addresses that immediacy, like how -- what happens immediately adjacent to these triggering properties. While still allowing us to do what imagine Austin is asking for, which is to build along the corridors, the important corridors that you have. So I'm going to go into a little bit of how all of this thinking, both in terms of what the old compatibility did, what our new zoning tools we have today, and the integrated compatibility into the Zones means. >> Alter: Can I ask a simple clarifying question? When you're talking about compatibility and the height in the non-transect Zones that was a additive so that if I'm between zero and 50 I can go up 30 feet at, like, anywhere in -- that I'm allowed to build within that zero to 50-foot radius from that building and then if I'm at 70 feet I can go up to 40 in that area and then when I get 100 feet away from that triggering building the max would be whatever the is base zone? So it kind of steps up if I had a really big property? >> Correct. And the thing there is, again, we should probably note there the 30 and 40 feet you can only get to that if your zone actually allows you to go that tall because there are some Zones the base zoning height is already lower than that. >> Alter: Okay. Thank you. >> So why is this important? Understanding this map, which is a great analysis map. I think of this as a great tool to understand what's going on in the community, but it's important to use as part of a decision-making tool, and we use it as part of a decision-making tool, understanding what kind of Zones to put on the ground. And so here's an example of burnet road where today on burnet it's cs, many compensations, all kinds of

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combinations. Cs has a base height of 60 feet. But that doesn't tell you the whole story, right? Because remember when we look at this map and think about all those radiating lowering of heights, the basic rule that we've found was that -- and we mapped this way was that when a parcel is at about 125 feet to 100 feet deep, compatibility, particularly in a situation where you had sf-2 and sf-3 next to it is essentially saying you can only build 40 feet in height. So we mapped cs that was in that situation, where compatibility was triggered, where it was 100 -- less than 125 feet, we generally mapped t4 main street because that was a zone that said you can only do three stories. We said 45 feet instead of 40 feet but three stories. Versus what you'll see on the map is generally t5 main street is mapped on parcels that are deeper than 125 or 150 feet. And that's because when one then takes into compatibility those are parcels that were more likely be able to get closer to their base entitlement and cs in 60 feet in height.

So that's all -- right, we're talking in the abstract. Here we're just showing a block. One side of the block are single family houses. Sf-3, lm-dr, just triggering properties. In your code today, it says for the first 25 feet of this parcel that might be zoned cs, you can't build anything. Between 25 and 50 feet, you can build 30 feet or two stories. Between 50 and 100 you can build 40 feet or three stories. But remember, right, the base entitlement, so the zoning, what the zoning says, cs zoning says is 60 feet but actually with compatibility what it's saying is you can only build 40 feet. So what we are offering in the new code is saying,

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well, what if cs was replaced with t4 main street where the lot is the same size, same situation, zoning height is 45 feet and actually what you can build is 45 feet, right? So we're matching closer to what compatibility was already saying but we're saying you don't have to go through the process of saying, oh, my zoning says 60, I go look at the compatibility map which is changing all the time, can I build 60? Can I build 50? Can I build 40? Right? Because that's always changing. We're trying to use these new tools that we have, the different Zones, to say this is closer to what all the electricians are saying -- regulations are saying together. T4 main street has a 3-foot rear yard setback, can't build anything in the first 30 feet adjacent -- in the rear. So we talked about compatibility on lots that are 100 feet deep. When we look at 150 feet deep, so this is a cs lot that might be 150 feet deep, again, this is very typical of many of your corridors, your compatibility standards, when you're backing up immediately on a triggering property, again, first 25 feet you can't build anything, 25 to 50 you can build two stories, 50 to 100 you can build three stories, and then you get, for every 10 feet further you get away from that triggering property, you get 1 foot in additional height. So in this property, again, it's zoned cs, the zoning might say 60 feet, actual height you can build right at the edge of the property is 45 feet, but in all reality, it's really 40 feet because that height keeps dropping in this tent area that's over here. Oops, sorry. It's over here on the left. So, again, this is 45 here and 40 here. So, again, even on this 150-foot lot it's really saying you can only build 40 feet.

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For the t4 main street, again, on 150/150 lot we're saying zoning says 1910 what you can actually build is 45. The one things that built into the zone that's an addition that's a compatibility tool is that the depth of that building can only be 100 feet, right? So when one does the math on this lot and takes 30 feet out of the back, 5 feet for the front setback, the building can only occupy the first hundred feet after that. The actual effective setback is closer to 40 feet, 45 feet. >> Pool: Can I ask a quick question on this? Why not stepbacks in the transect Zones to mirror what we have currently? You're getting that

wall effect. >> Sure. >> Pool: As that has been pointed out previously. >> Just so I can go back here, so we'll go -- these are the two that probably show the difference the greatest, right? So these are -- this is 100-foot deep lot. This is t4 main street where we say you're 30 feet back but at 30 feet you can build the full 191045 feet or three stories of structure. In your current compatibility standards you say at that 30 feet you could only build 30 feet and two stories, but when you go back a full 50 feet you get 40 and three stories. Again, this is a trade-off we're discussing. For -- particularly for the 100-foot deep lot, that setback can have a major impact on actually being able to build a three story building, especially with residential above. When we get to a building -- t4 main street building that maybe is on a 150-foot deep lot, I think that's okay. That setback you can work with the loss of that potential of whether that's office space or residential

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units, but it is -- most affects the shallower lots, that kind of reduction. I say this because putting that kind of setback into the code, it's possible, but understand that in particular the shallow lots are the ones that are going to be the most affected by any of those kinds of regulations. So then we get to t5 main street, and this is, again-- and I'm going to switch between the two here because this is your existing compatibility on 150-foot deep lot and what we're proposing in t5 main street. We recognize this is a change. But what we're saying here is that you can build a one story building to the rear property line, you can build up to a three story building between 25 and 50 feet away from the triggering property and then beyond 50 feet there are different height regulations that are shaping that form of that building. We recognize this is a change, and we want to talk about this tool and say, are there things from the old compatibility that we want to bring forward into this tool? On deeper lots, do we want to have a no-build -- an area where you don't build but maybe we can get an alley, right? If you remember the -- showed for north Lamar we showed maybe part transition that happens between t5 main street and main street properties is an alley. These are things we are open to talking to y'all about. We always want to bring the discussion back to there's a difference between what one asks for on a 100-foot lot, 150 feet deep lot or 400 feet lot. Each of those scenarios has implications on what did actually be built and 250 feet lot there's a lot of opportunities for doing different things. Other things that are in the code that deal with compatibility that -- those top upper floors, there's a limit to how deep that upper

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floor can be and how wide that upper floor can be. Again, those are things that we are proposing and we'd like to have discussions about. I know from discussions with aia they have some concerns that

maybe that's too limiting, right? I think the numbers might work for residential but it might prohibit you from doing office just from the size of the floor plate that we're describing there but we do look forward to being able to continue the conversation both with you all as a council and with the planning and zoning commission and the public about these tools. Again, how can we calibrate this tool to better reflect what y'all want as a community as we move forward. With that I would open it up for more questions and comments. >> Mayor Adler: Okay. Thank you. Ms. Houston. >> Houston: Thank you, mayor. This is a 2-part question. Do we have compatibility standards throughout the city in the current code? Is it consistent throughout the city now? >> Yes. With the exception of downtown. >> Houston: And downtown -- >> And the central business district, compatibility standards do not apply. >> Houston: Okay. So could you show those two pictures that I have up there? This is the property that I was talking about earlier. I'm not sure -- I'm sure there's some reason that y'all would be able to tell me why that small building, there were no compatibility codes that addressed that, and show them the other one. So I'm not sure where in east Austin compatibility codes work because I'm sure there's a reason, but the people who live on the opposite side in the smaller houses, in the smaller

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apartments, have no sunlight. It's completely blocked out. >> So if -- I'm not sure if this is along east 11th street. >> Houston: It's east 12. >> Speaker5: There's a neighborhood conservation district that modified compatibility standards. >> Houston: All the way to airport boulevard. >> I don't believe it was all the way to airport boulevard. >> Houston: It's about half a block from airport boulevard. To you next week. If these are structures -- >> Houston: Go to the other one, the -- mm-hmm. >> Yeah, I mean, they appear to be like a row house structure, but I'll have to -- I can get with your office and find out a little bit more. We can probably provide an answer for you. >> Houston: I think it's important for people to see this because if you don't see what happened in our current code we won't be able to correct for it in the new code and that's obscene to me. >> Yeah. If these were constructed as just existing single-family homes, and they weren't necessarily subject to compatibility standards Zones, they were just subject to the current codes that we have, and if it was in a mcmansion area they'd were outside of the mcmansion be limbed to a height of probably 35 feet. If these are just detached single-family homes. But we can check on that and get back to you. >> Mayor Adler: It would be helpful to check because we all learn from that. Any other comments? On compatibility? Mayor pro tem. >> Tovo: I have a lot of questions, but I think we're probably at our time. >> Mayor Adler: Yeah. >> Tovo: I guess what I'll do is submit. So like the other question I asked for staff to show us, under current code if there

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when that residence is across the street. Basically I asked for a comparison between current code and proposed code with regard to -- within the transect Zones as well as outside. Because it's my understanding that compatibility -- and you probably covered this in your presentation as well, but compatibility standards right now are the same citywide with the exception of downtown. You're creating kind of a 2-scale -- two scales of compatibility in the proposed code. There would be compatibility within non-transect zoning and then looser standards within transect zoning so I think, too, that's really another issue we need to highlight for people or daylight, as the mayor would say. So I hope we can come back to compatibility because I think it is very -- I think it is really significant. And I know that the citizens advisory group has submitted some comments to you about there are just pieces of compatibility that are not present in the current code. I'm not prepared to go through them right now but I think I posted some. One thing, though, that is curious that we one thing that is curious that we might have time to address today. And mayor, I think the questions you posted on the message board you asked is it true that you could build an 80-foot tall building across from a single-family residence? And I've gotten some examples of those kind of things too, and they seem to occur across the streets because if I'm understanding correctly the draft, while currently if you're a single-family residence across from another use, compatibility kicks in, the current code draft, codenext would propose eliminating that. If you're across the street you would no longer -- compatibility would no longer apply? Is that accurate, something you're fixing? >> That is accurate: It is accurate that currently as written the compatibility standards don't trigger across the

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street. It is something that I think we as a group have discussed and have been thinking about how to implement that. We definitely do also want to continue to look at the way we've mapped. So when we have t5 main street across from single-family, how wide is that street, is it existing single-family, but it's actually zoned t5 main street? So we want to look at those situations and we can continue this discussion. I do agree that I think that compatibility and mcmansion that we talked about today, next we'll be right back talk about lmdr, t3, t4, it would be good to have another follow-up to talk about mcmansion and compatibility after that discussion. >> Tovo: I'm curious about the -- mayor, I would say that the scenario that's been mapped out for me is one where the street is -- you know, a lot of our streets in older neighborhoods are pretty narrow and that's the scenario that seems to give rise to the scenario that there is a pretty high building, as much as 85 feet, just across the street within 35 feet of single-family residences. And I've gotten some examples of where on the map those situations are occurring. So yes, it's a mapping issue, but you've made a shift here between -- by saying that streets it negate the need for compatibility. So can you address that, if that's something you can do quickly? If not can we follow up next week because I think it's a curious shift. Not a curious shift. I guess I just disagree with it, but I want to hear your opinion on it. Your rationale. >> No, I think this is definitely something for discussion. And what I think we as a group have been thinking about is the difference between being

across a street like north burnet or south Lamar where it's nearly 100 feet or it already is 100 feet. That's a different situation than right-of-ways that are typically smaller than

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70 feet. So that I think is -- while I did say it's a mapping issue, what we want to understand is where it has happened because for various reasons we mapped what we mapped, how wide is that right-of-way? So now we can think about okay, which of these right-of-ways should we be triggering about and which should we worry about? You already have 100 feet actually the buildings? The one thing I want to clarify because this is a bigger thing I've been hearing, is the maximum heights, especially in the t5 main street, t4 main street urban Zones, the maximum height there, the really governing height is actually the eave to parapet, which on main street is 75 feet. The overall height of 85 feet was simply saying something that you already have today, which is today you have exceptions for your height allowance to say today you can build in cs 60 feet tall and you build your building that tall. But existing in code today that there are mechanics that have to get to the roof, things that happen on the roof that are just required. That 85-foot maximum was intended to cover that idea that there are going to be things and identified plainly and out front that there are things that will go above 75 feet, but it is those mechanical rooms that get you access to being able to patch the roof or vents, different things that your code already allows to go above. So the 85 is not occupiable, habitable space, it is 75 feet. So I'd like us to consider that in the conversations. The important height is the eave and parapet height. >> Pool: Mayor, and I think one last example and I do this for councilmember Houston and the mayor pro tem and me. We have a photograph here that we're going to pull up. This is 1005 juniper street, which I believe is off of east 11th, which is in district 1. And you were just talking about the height

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of the building can be. Well, this one is 40 feet, could go up to 60 or 85, but it's really tall as 40 when you look at how wide that street is. And then the homes that are on the other side of the street. So I think when we're talking about including the streets and the setback, it can't just be 100 from the edge of the building to the edge of the building, it has to be whatever the width of the street is and then some additional on either side because what this has done effectively is going to force out all the homes that are on the other side of the street and then you will have a canyon. And I will agree that there are some parts in Europe or some streets that look like that, but this is east Austin and we're losing a lot of really important lower priced homes, residences by this kind of thing. Plus it's just not even friendly. So that's a 40-foot tall structure that's being built there. >> Houston: And the street is not that wide. >> Pool: The street is probably 70 feet or narrower. >> Houston: It's much narrower than that, it's about 35 feet, 40-

foot wide. Not 25 feet. You have to take into context because it's right around the corner from Franklins and there are always cars parked on both sides of the street. So it's just impounding upon impounding of -- >> Pool: So there's nothing that we can do about it now because it's obviously been approved, but we don't want to exacerbate it and allow it to continue. >> Councilmember Pool, so again, this is where we would offer up on the right-hand side of the screen is a block-form building. It is a series I believe of townhouses that run for the vast majority of that block face. And across the street are a series of houses. So the new tools will offer an option that you

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could still build a lot of units, but that they be more in house form to relate to their neighbors where there would be space between them. I would also offer, though, as you described, that if the intent -- again, I don't know that this was the intent or it is the desire, but that you also have the tools as you described that if the long-term vision that a community comes together and says, we're okay with what's happening on the right-hand side. Maybe we want more of a break, but we're okay with the block form, but generally speaking what you want to do is try and get that on both sides of the street so there's more of a coherent atmosphere the way one might, as you describe, expect in other communities. >> Houston: So this is an example of an area that is part of the neighborhood conservation combining district. That is that area. So that's the impact that it has on some neighborhoods that don't really need the help anymore. >> Mayor Adler: Mayor pro tem? >> Tovo: Can I just ask a follow-up question on that, and Ms. Houston, you may know the answer. When that nccd changed compatibility, would that project be possible under compatibility that applies in other places in the city or is that an impact of -- is what we're seeing an impact of the rolled back compatibility standards within that nccd? >> Yeah, those might have -- >> Tovo: I should say modifications, not roll back. >> Nccd did modify the compatibility standards to relax them. >> Tovo: And what we're seeing there would not be possible in other areas that don't have those relaxations. Thank you. >> Correct. >> Houston: They will go into the new code the same way. >> Mayor Adler: Because it's the nccd. And in areas where there's not the nccd that's controlling, the new code would offer the ability to have that broken into smaller components. So it wouldn't be as

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massed as well. We're after 3:00. This was really helpful, guys. I really appreciate you doing this. This was really helpful for me on a lot of levels. The first is I think that it really reemphasized the fact that this is -- this is a process to -- where we can change things and we can call out things, the issue of calibrating things. We have the dials that we can change. We can change the structure, and that's why I want to

reiterate for anybody who is watching out in this or sees this, please stay engaged and roll up your sleeves and let's identify where that needs to happen. I think it's also significant the number of places as you went through this where you said this is something that we're changing in the next maps and the next code that's coming out. So I am really eager and anxious for you to do that so that we have yet another set of maps and codes as we do this rolling deadline. People still staying engaged, still giving us comments because it's already, I think, responding to some of the concerns that we heard. So again, this is yet another reason why I want everyone to stay engaged in the process. So thanks a lot. We stand adjourned. It's 3:10.