# City Council CodeNEXT Public Hearing Transcript – 05/29/2018

[10:11:41 AM]

>> Mayor Adler: All right, council, we have a forum. Today is may 29th, 2018. We're in city hall here, in the council chambers. It is 10:10. Calling this meeting to order. This meeting, as noticed, gives us the opportunity to hear from the public on codenext. It also gives us the ability to be able to talk with each other to the degree that we want to. We have people, obviously, that have signed up to speak. Everyone that's signed up to speak will have three minutes. If they donate time, they donate a full three minutes per the discussions we had earlier. We're going to try and take lunch today between 12:30 and 1:30. We'll stop at the end of the day when we've run out of people. We're going to take dinner, if we have -- if we're still here, from, like, 5:30 till 6:30, if we're still here. We're going to have two days of public hearings, today, Tuesday, and then on Saturday we're going to have public hearings as well. And then beginning on the 5th, council will get an introduction briefing from staff. Consultants, I think, will be here as well. And then we can start talking to each other. I want to thank councilmember alter for teeing us off on the message board, listing topics. I appreciate councilmember pool and the mayor pro tem and councilmember Houston and councilmember kitchen in going on the message board and adding to the topics list.

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And I'm sure we can be discussing those today or Saturday if people want to, but certainly on Tuesday if not before. I also put on the message board looking at a couple of the topics and saying these are the kinds of questions we might want to focus on by way of direction, so I think everybody should take a look at the topics that are listed, as well as the questions, to see if that might be a way that we want to approach this, and certainly both those lists are living documents which means people can add to or edit or change them continually during the month of June unless we should decide otherwise, both in terms of topics and questions, and we would need to populate more of the questions. I think what we talked about in terms of process was that we were going to see -- we were going to start June and maybe spend all of June trying to find opportunities for consensus, trying to find things that would garner eight votes of support, for example, on the council, although I'm not sure we're actually going to take formal eight votes, but to try to get to that place where we find consensus, as opposed to spending June taking

a lot of closed votes. I want to thank the planning commission for the work that it did. It worked really hard last week. There's a report, I think, that is coming back to us, I think staff is taking a look at that. I want to say that I really appreciate when the planning commission -- all the work was important and will serve and direct us, as does the work of zap and the other bodies. When the planning commission started moving away from approving things by 7/6 and trying to find things that could get eight, nine, ten, eleven, twelve, I think that was really constructive work for us to be able to see because we're trying to see if we can bring the community together as part of

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this process now, and to folks that are testifying, you can say whatever it is that your heart moves you to say with respect to codenext. For me, I will tell you what I'm going to be most interested in hearing will be folks that can help us identify consensus areas or consensus ideas or thoughts that we could use perhaps to move us together as a community. Does anybody want to say anything before we start with the people who have signed up? Councilmember pool. I think she was just pointing. >> Pool: Mayor, thanks for kicking this off. I also wanted to remind everybody that the zoning and platting commission, which is a co-equal land use commission, that the city has helping us on this matter, will also be bringing us their -- they made plenty of recommendations. They came at things from a different angle and expressed some frustration with the process, which was widely reported as having thrown in the towel, but which is not, in fact, having thrown in the towel. So I know you were thanking the planning commission for all their efforts, and I'd like to widen that thank-you and express continued gratitude and gratefulness from this dais to the equally difficult work that our zoning and platting commissioners do as well. >> Mayor Adler: Okay. All right. Let's dive in. First speaker is Stewart Hirsch. Is Susan Moffett here? Come up to the other podium. Mr. Hirsch. >> Mayor and members of the council, my name is Stewart Harry Hirsch, or as I like to tell you I'm stew from district 2. If I were a rich man, I would oppose the planning commission recommendations, but I'm not, so I embrace them.

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If the city council wants to make Austin more affordable, what I call code mama, it should adopt the codenext recommendations of the planning commission and add the following eliminates. One, additional code changes on items discussed by the planning commission that currently negatively impact housing affordability and are incorporated in the neighborhood housing and community development affordability impact statement of may 18th, 2018. Second, definitions for single-family homes, duplexes, triplexes and other housing types that align with definitions adopted by the city council in technical codes last year. Third, restoring fast track review and inspection for S.M.A.R.T. Housing and implementing it for the first time to the density bonus program. Fourth, highlighting planning commission actions designated to mitigate gentrification pressures. The reporting so far is as if that action never occurred. Codenext 3 is recommended by the planning commission with key amendments, will move on us a path to breaking with code now what my councilmember calls the current code, and

will break us with the current text and the current maps that contribute to Austin being renowned for its economic segregation. Code now wrecks Austin for the poorest among us, and working class households and middle class households who are trying to remain and return. Please adopt the planning commission version of codenext, reject code now, and continue to approve upon it. Thank you for your good work and thank you so much for the planning commission for its diligence over the past month. >> Mayor Adler: Thank you, Mr. Hirsch. Is Pam mandera here? You'll be at this next podium. >> I'm Susan Moffett, I'm a former cag appointee and I have read the whole thing. I want to highlight ceramics but

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this is just the tip of the iceberg. Public schools, for accessibility, retain on site parking requirements near campuses per aid request, correct the school section, it's still missing key provisions of the education facilities ordinance, support family friendly housing. Affordability, simplify density bonus programs and ways affordable units set aside to at least 5%. Lower downtown mfi levels to 80, it has them 80 to 120 to high, base the affordable units on total units per existing code, not just bonus units. Raise commercial fees in lieu. Two dollars per square foot is too low, especially downtown. Replace high opportunity area with qualifying area and require at least three criteria, not just one. Close the loophole for floating affordable units and strengthen monitoring for all programs. Parking reductions, first, ensure Ada parking where the draft removes all off street parking. Ada is based on a percentage of off street parking, if you don't provide any, you don't get Ada spaces unless the city mandates it, which draft 3 doesn't. Cap parking adjustments at 20% with an exception of affordable housing and reassess when they're working. Draft 3 allows 60% additional parking reductions by right, no review, no public notice, on top of already big baseline parking cuts. This would let you had build a hundred 2 bedroom apartments with ten ground floor businesses and only provide 40 spots for the whole thing. This is an extreme depart from your current current code and earlier drafts. These are based on trip reductions, not vehicle reductions. Just because you bike or bus sometimes doesn't mean you've given up your car and as long as you own it, you have to park it. 94% of Austin households owned a vehicle in 2016, average 1.6 vehicles per household, so trip reductions alone, as important as they are, do not accurately

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indicate parking needs. Renature provisions for compliance, big box retail, waiting period to refile and required [indiscernible] For late night bars and restaurants with parking buffer from house scale residential, no one needs 911 outside the bedroom at 3:00 A.M. Increased entitlements will incentivize demolitions and displacement. We need a city that works for all ages, abilities, and income levels. This draft still needs some serious work to get us there. Thank you so much for your time. >> Mayor Adler: Ms. Moffett, if you haven't given -- you've sent us information to council before. If you haven't sent us those comments in that form, would you send them out? >> I certainly will. >> Mayor Adler: Thank you. Is Brian zeprtic herb? Is Luke mector here? You'll be at that podium and have six minutes. >> I'm Pam Madera, the immediate past president of the central Texas association of realtors. I'm current president

of real estate council of Austin. I'm here speaking in my individual capacity, however, as a land use and real estate attorney. The current draft of the code is -- has substantial and serious flaws throughout. I praise the work of the planning commission and the hours that they spent trying to go through and rewrite the zoning and various other provisions of the code, but they ran out of time to do the work that they need to do, especially dealing with the other sections, such as environmental, transportation, the deference of large majority of the rules to the unwritten criteria manuals, legal process and variance issues, open space and drainage issues. There are substantial issues in all of those chapters that still need to be addressed. The technical chapters were not

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looked at holistically by city staff or by the consultants. They were not tested among each other to make sure that this current draft 3 works. It does not work in its current form, and so we request that the city council use the time that it has ahead of it, that this is not a rush, it's important to get this right. This is important for our community, and to take the opportunity to provide the testing and the evaluation of this codenext draft 3 as a whole, so that we can make sure what we put into place, if we do put something into place, works, and works for our community. The current draft does not provide affordable housing in its current form. It doesn't matter how dense zoning is, if you can't build it based on other sections of the code, and currently that would be the case. So we also recommend that the city council use this opportunity to put into place policy directive, such as has been discussed at the city council work session, so that the council can provide guidance to whomever is going to continue to evaluate and look at the problems with the current draft, so that they have a framework for the council's priorities and how to evaluate those changes that need to be made, that currently, as the code stands, it is not a workable or beneficial to our community. Thank you. >> Mayor Adler: Thank you. Is Joseph Reynolds here, please? You'll be at this podium. You have six minutes, sir. >> Hi. My name is Brian. I'm the clean water advocate at environment Texas. We are a member-based organization working for clean air, clean water, and open spaces across the state. [Applause] Environment Texas believes that codenext will lead to new development that's better for the environment. The current code encourages low density sprawl, which in turn

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encourages or transportation reliance on cars and trucks which in turn produce emissions that are causing climate change. Codenext, the planning commission's version of codenext, will encourage higher density development, which in turn will make public transit and other lower emission transportation alternatives more feasible. We also believe that codenext changes to the city's stormwater policies will be much better for the environment. This should be one of the areas that we can all agree on. We will have the same Progressive standards that are increasingly common in other large American cities. Codenext stormwater policies are split among three code sections, drainage, water quality, and landscape. These policies, these new policies will help Austin achieve less flooding, cleaner creeks, and

more water conservation. Less flooding, because redevelopments will have to meet the same drainage requirements as new developments, and less flooding because all new developments will have to keep runoff at predevelopment levels. Cleaner creeks because new developments will have to use green features like rain gardens to filter pollutants out of runoff, and more water conservation because rain harvesting systems will store rain water for later on-site use which will be critically needed as we face increasing droughts. Codenext contains two major changes to the drainage section. One, the redevelopment exception in the current code is being eliminated. This exception says that if a redeveloped property doesn't increase the existing amount of impervious cover, it does not have to meet current drainage requirements. This is a problem because prior

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to 1974, the city didn't have any drainage requirements at all. Under current code, if you redevelop one of these older properties and you keep the same footprint, you still don't have to provide any drainage improvements. Codenext will eliminate this loophole. The second major change in the drainage section will create a new standard referred to as the pre/post rule. This is because it states that post-development runoff conditions have to be kept at predevelopment levels. The city's watershed protection department has estimated that these new changes will reduce peak flow rates up to 17% and peak flooding depths up to 4.8 inches. Dirty runoff is a reason why current creeks are classified as unsafe for swimming or fishing. Austin's water quality requirements reduce dirt runoff by requiring new developments to have an on-site feature that can filter pollutants out of runoff. For the past two decades, the city's recommended water quality feature has been the sand filter. The problem is that sand, by itself, does an incomplete job of filtering out pollutants. But if you add plants, you can filter out more. This is what green stormwater infrastructure can do many recent developments in Austin are already using gsi. Under codenext, all future developments will have to use gsi features to meet all of their water quality requirements. The most common gsi features are rain gardens, small collection basins lined with native plants that let rain soak into the ground where it falls. Green roofs let rain evaporate into the air.

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Permeable pavements let rain soak into the ground rather than run off, and rain harvesting systems can store rain water for later on-site uses. Right now, the primary use is for landscape irrigation. But this water can also be used for building purposes like flushing toilets. We believe that these good stormwater proposals can still be made better. We were disappointed that the beneficial use provision in drafts 1 and 2 was dropped from draft 3. This regulation would have strengthened the gsi requirement by requiring developments to retain and reuse a minimum amount of stormwater on site. But, overall, environment Texas strongly supports these new stormwater policies. They aren't unusual or novel. Austin's city council has endorsed many of these policies over the years, most recently with the green stormwater infrastructure resolution that councilmember kitchen sponsored last year and that

this council passed on a unanimous vote last summer. Austin has long set an example for the rest of the state in how to protect the environment. We can continue this leadership by adopting the new stormwater rules in codenext. Thank you. >> Mayor Adler: Thank you. >> Pool: Mayor, I have a question for the dais. We have a number of documents in front of us but none of them show who they are from. So these are the three. This one starts, thanks for the posted suggestion of topics for MPT and -- >> Mayor Adler: Those are the questions that I posted, so that's my post. >> Pool: Okeydoke. Then this one, key goals for successful new land development

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code? >> Mayor Adler: I think that's councilmember kitchen's posting -- >> Kitchen: No, this is -- councilmember alter posted that. >> Pool: And then draft -- >> Mayor Adler: Key goals was the document that councilmember alter, councilmember kitchen, and I published a few weeks back. >> Pool: I think that was actually -- was that in February? >> Kitchen: Yeah. >> Pool: It seems like just a few weeks ago. Then draft topics list? >> Kitchen: I put that together compiling the other message board post. >> Pool: May I suggest that we all adopt some kind of template that has a date and our name so that we can easily identify and refer to documents. >> Kitchen: Be happy to do that it was posted on message board so I wasn't thinking in terms of handing it out, but I'll go back and fix that. >> Pool: Completely understand. >> Mayor Adler: I think that would be good. I think the clerk published these, printed these, but we'll make sure that we do that. >> Pool: Great. Thanks. That'll make it easier, too for us to refer to them whenever we need to. >> Mayor Adler: Sounds good. Is Jeff jack here? You'll be at this podium, Mr. Jack. Mr. Reynolds. Three minutes. >> Mayor and council, I'm Joe Reynolds and I live on west 49th street. I first saw shoal creek flooded in 1961 from hurricane Carla. I was on the allandale board for the 1918 flood when two friends had houses severely damages and my dissertation professor's son was washed off a bridge and downed. The claims for codenext are misplaced. There's been a general claim that the new density won't be a problem because percentage impervious cover is kept to 45%. That's wrong. The limiting percentage is not meaningful. It's the dimensions of the grassy parts that slow dangling and reduce flooding. At rainfalls on grass, it's slowed by turbulence from stems as it tries to flow way. The wide tere grassy area, the

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longer it flows and longer it takes to charge a creek. If you start with a lot 40% impervious cover that percentage maintained as the lot is repeatedly subdivided. Each time the grass gets narrower the water told who I am decreases. The retention time of the grass is decreased 16 fold, and the lot might as well be impervious. City staff has mottled stream flow flooding in the hundred-year flood flow plan but doesn't localized nodding. It goes down street across neighbors' yards. This is the most common cause of damage. You must still do repair, remove mold and buy furniture. To get accurate flooding, watershed details must be known. Impervious cover must be identified, both location and dimensions, to produce a cover map. Elevations and slopes must be known to inches to gauge direction and speed of

runoff and this must be tied to the cover map. Creek channel cross-sections, slopes and contributions must be known to characterize the channel. Rain amounts, rates, durations and distributions over the watershed must be predicted. City flood models use national standard curves. Texas storms are unique. For about 90 years we've had the highest 24-hour rainfall record. At Alvin and now Beaumont, the work used in city models was done in 1998, 20 years ago. Infrastructure status must be known. Storm sewers partially filled with construction silt won't carry as much water as designed, and the factors generating localized flooding must be determined for the stream flow because water impounded by house affects the speed, the amount of flow to a creek. And staff doesn't accuracy these parameter problems. The determination of impervious cover for the drainage fee was a fiasco and got onto KXAN TV. It was based on aerial photos four years outdated. Commuter algorithms used to automatically classify the

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patches failed miserably. This is not surprising. Photographs are technically inadequate to identify material types. Other data is required. I was a principal at the research division and the company ran ground truth calibrations. [Buzzer sounds] I understand why the city flood predictions are far from reality. In conclusion, the claims about 45% impervious cover and flood studies are not credible insurance that codenext is safe. If you all push for policy goals and ignore nature, we're headed to more deaths and other -- >> Mayor Adler: Thank you. >> Thank you. >> Mayor Adler: Thank you, sir. Is Mary reed here? You'll be at this podium. Mr. Jack. You have three minutes. >> I'm Jeff jack. I'm president of the Austin neighborhoods council. I'm here today not to speak on the details of codenext proposal. What would I be commenting on? Codenext version 3? Version 3.5? 450-page errata? The 14 page policy table? The planning commission's almost thousand recommendations? The planning commission's vote on the transition mapping that occurred late at night last week? No, it's unrealistic to comment on such a complex proposal that is in a conditional flux, and has not give the community time to evaluate all the moving parts. The last time I spoke to this council I mentioned two numbers. The first number is 81. That's the number of neighborhood associations that are a member of the Austin neighborhoods council. Here are some more numbers relative to the ANC. A very conservative estimate of the number of residents in the 81 neighborhoods is somewhere between 150 and 200,000 people. Based on the average ratio of residents to registered voters, that's somewhere between 100 and some,000 registered voters in our 81 neighborhoods. Now let's compare those numbers to the votes that we've gotten

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from the district council members elected who voted against putting the council -- the citizens initiative on the ballot. The total number of votes in each of the elected councilmember districts d2, d3, d4, d5, and D 6 was 45,000 votes. That's about half of the registered voters in our 81 neighborhoods. The other vote I need to mention was -- that I mentioned last time was six, and that was the number of votes needed to put the citizen initiative on the ballot. We appreciate the four council members who voted to

do that, but we were very disappointed in the six council voters that voted against it. We have some encouragement, however. We hear a new number, the number eight. That number is being seen as a way to get the council to an eleven-vote, 8-3, consensus. I believe it may be a step in the right direction, especially when you consider the four councilmembers who voted to put codenext on the ballot. They've got elected at 45,000 votes, and the four council members who spoke out most for codenext put the vote at 35,000. So let the consensus building begin with honest data and an open dialogue about these difficult topics. Commercial creep in our neighborhood, displacement, infrastructure capacity and cost, parking issues, compatibility issues, density and affordable housing. You'll hear a lot of testimony on both sides of the coin -- [buzzer sounds] -- On either of these, but let us move forward with a process that allows us to have a true dialogue about what these difficulty topics need to be resolved. We haven't done that in the past. We need to do it now to create trust in our community.

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>> Mayor Adler: Thank you. Is Steve Swanson here? You'll be at this podium. You have three minutes, ma'am. >> I'm Mary reed. I'm president of the Clarksville community development corporation. We oppose codenext and urge you to scrap it. We're not against the code because we don't want more affordable housing and diversity in Clarksville. After all, as the oldest CDC in the city, we've been providing affordable housing to low income families for nearly 40 years and we have plans for more. We believe in affordable housing, and it's because of us that people of all economic means live side-by-side in Clarksville. Nor are we against change. We've seen a lot of it. And we've worked to accommodate in it a neighborhood-friendly way. Here are a few of the reasons why we want codenext scrapped. It will accelerate the trend of rising home prices, property taxes, and rents that people in Clarksville are already struggling with. Common sense should tell you that developers will build expensive homes and condos in central Austin neighborhoods like Clarksville, giving up the high cost of land there and market demand, not housing for low income folks and the middle class. Anyone who argues differently is living in a fantasy land. More expensive condos and homes will chip away at the things that make Clarksville Clarksville, the things we value, the things that give our neighborhood a special vibe. Conscience relaxed parking requirements, combined with the increased density it envisions, will exacerbate serious, already existing problems in our neighborhood. For example, many of our streets, some of which are quite area oh, will become even more difficult for cars to navigate and pedestrians, cyclists and pets will be at greater risk of injury or even death, given that there are few sidewalks in Clarksville. Codenext will increase the pressure to demolish homes in our neighborhood, making it harder than it already is to preserve the historic character of Clarksville, and it will almost certainly have profound negative effects on the

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neighborhood-oriented businesses that line west land. And finally, codenext explicitly and implicitly cedes far too much decision-making authority to city staff at the expense of neighborhoods.

Neighborhoods need more, not less, decisions that act them. We are hardly mini trumps, as some have claimed. We embrace economic and ethnic diversity. We walk the walk. However, we believe the best way to achieve those things and preserve neighborhood character is for the city to tackle its affordability and diversity issues head on not with more task forces which are just an excuse to kick the can down the road, and not via codenext. It's top-down, one size fits all, approach is don't mind to fail and nowhere, to our knowledge, has a system of local ordinances and regulations alone made a city more diverse and affordable. If your true goal is to increase diversity and affordability in Austin, the ccdc believes the city should give existing neighborhood-based affordable housing programs more support. We are your affordable housing experts, after all. Encourage neighborhoods across the city to establish their own programs -- [buzzer sounds] -- And help them succeed. In other words, partner with neighborhoods. >> Mayor Adler: Thank you. >> Embrace the neighborhood plans. >> Mayor Adler: Thank you. >> Also -- I have one sentence more. Also, scrap codenext and actively enlist neighborhoods in the development of a new land use code that benefits everyone, not mostly developers and the real estate industry. >> Mayor Adler: Thank you very much. >> Tovo: Mayor, may I ask Ms. Reed a quick question? Ms. Reed? Mayor? I'm very familiar with Clarksville CDC, but I'm not sure all my colleagues are would you just let us know very briefly how many units Clarksville CDC has created? >> Well, we went to seven -- we have 20 units and -- no, we have 16 units, excuse me, and we went to 17 low income tenants, low income families. >> Tovo: Thank you. And remind us again how long

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you've been over in Clarksville. >> 40 years. >> Tovo: Thank you. Thanks very much. >> Thanks. >> Mayor Adler: Is Jennifer mcfail here? Mr. Swanson, you have three minutes. >> Good morning. Steve Swanson. I'm an Austin grandparent and retired business executive and 20-year volunteer in public education. And I'm here to talk about starting to fill our responsibilities. And the reason we have to start is, we have not been fulfilling them. The way to start is to pause or -- pauseor is to be is to start the current codenext process and start developing a detailed work plan to fulfill the responsibilities provided in the 2012 plan. Why is being responsible important? Currently the city of Austin's failing its responsibilities dishonors the pledges of allegiance that our children make in elementary school, and often we stand with them while they're making them. It also dishonors our water veterans, first responders and others, as well as their sacrifice. And it dishonors the 2012 vote of the city council for the imagine Austin plan. It also invalidates all voting by any Austin city council, and it begs the question, why vote at all if we're not going to follow what we vote on. We're failing. We're failing. The city of Austin continues to divide its people, which was started or had been extent waited by Austin's 1928 plan and this fails our pledge. We're failing our own imagine Austin plan responsibilities, our goals stated in the plan, the detailed work planning required, and the required

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leadership. Example of a failed goal is codenext was to promote education and promote affordable housing. We wouldn't be hearing the affordable housing stories today if we'd been promoting them as this priority program number 8, codenext, was to do. We failed our goals, other goal, tackling the ethnic divide and standing together, and many, many more that are provided in the imagine Austin plan, again failing our pledge. And we've failed to do work planning as required in the imagine Austin planning, on page 217. The includes failed involved elected officials in detailed work plans and failing to regularly monitor and evaluate them, and to ensure we do use our time and money resources well, effectively. And we failed in leadership. We haven't partnered up. You've already heard that today. We need leaders, the plan says, and we haven't worked together to think creatively. Our joint committee of the city, aisd, and Travis county, have let us down because we wouldn't be hearing stories about what schools need. Again, failing to be one. The evidence is aisd's resolution on codenext -- [buzzer sounds] -- By ignoring the education petitions and the research itself and much more. >> Mayor Adler: You can finish your thought. >> Yes. I'm going to encourage the council to have the city manager start working on the detailed work plan and for the council to understand that some day kids are going to be reading about responsible governance in Austin. >> Mayor Adler: Thank you very much. Is Mike abert here? You'll be at this podium. Ms. Mcfail. >> I'm Jennifer mcfail, with adaptive Texas. We wanted to come and be on record, and we have students' concerns about

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codenext. I was part of one of the early task forces, and I participated in the process, and I feel like we've given a lot of time to the process and don't see it reflected in codenext, in terms of disability rights issues. The code needs to do more to complement the sidewalk master plan process. There needs to be specific language about accessibility throughout the plan itself. We have serious concerns about the conversations that we've had with folks on different committees about parking and the process of making the city more sustainable. You can have a sustainable city and still provide accessible parking. The two are not mutually exclusive, and keeping people with mobility impairments from being able to drive to and from wherever they need to go is a huge problem. I'm not a driver, but my mom was, many of my friends are, and keeping people trapped in their area, in one area of town or another because you want to be more environmentally sensitive makes no sense to me. You can be both environmentally sensitive and comply with laws that protect people with disabilities. And in addition to all that, we want to see more aggressive promotion of affordable housing. People with disabilities that are on fixed income are struggling to survive in the city. And soon, before you know it, we'll become some playground for the rich, and people will be pushed further and further out of the city proper. And there's nothing, really, that addresses truly low income people, so for those reasons, we need to slow the process down, start having serious conversations about disability rights issues.

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We put in the time, and it's not reflected in the -- the language of the -- of the product itself. For that reason, you should stop and start asking, what are we doing to promote disability rights, and making sure that our citizens with disabilities have a place to be permanently in this city. We deserve that we put in the time. We made the effort. And it's not reflected in the code. Thank you. >> Mayor Adler: Thank you. [Applause] Is David Witte here? Is David Witte here? No? What about dick caliburn? You'll be at this podium. Mr. Abert, three minutes. >> My name is Mike abert. I live in district 9. I want to thank our councilmember and the other three who have been wise advocates for preserving and protecting our communities. I would hope the rest of you would follow their vision. Codenext is based on a false foundation from the very beginning. Our city demographer says we need 80,000 housing units over the next ten years. The strategic housing blueprint says, quite falsely, that that number is 135,000. Everyone admits this council admitted when you adopted the housing blueprint, that number of 135,000 units is based on a five-can the regional target. Our consultants say we need, over the next ten years -- we need -- we have capacity under current code for 140,000 units. Demographer said we need 80. Fred niecey says we have capacity for 140.

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Why are we doing through this nuclear war over a false foundation? The second untruth is that codenext is going to address our housing crisis. There's no way it's going to address our housing crisis in any meaningful way. These density bonus programs that you're talking about are chump change. Our housing crisis is caused by income inequality and high income newcomers whose average salary is $110,000. The land development code is not the place to address that crisis. Codenext is unlawful, violates imagine Austin, as we've heard. It's undemocratic. It's been worked on behind closed doors, directed and manipulated by special interests who, I might add, their interests are not being addressed, either. We've got two types of special interests. We have those that want to make a profit on developing land from our neighborhoods. There's a lot of land in this city not in our neighborhoods. And the second is from well-meaning ideaalogues who envision a city where we can ride a state board to work. We must get back to basics. I applaud starting with a document of goals. This is where you should have started five years ago. And I suggest to you that you terminate this folly called codenext, make our planning commission legal, because it is illegally stud by your own admission, and have a consensus where neighbors and the neighborhood and the community is engaged because what you've gone is code -- what you've got iscode mess in front of you right now. What's going to be delivered to you -- [buzzer sounds] >> I'd like to finish this

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one thought. We delivered draft 3, a lengthy errata sheet addendum, a new map that's still under revision, 900 amendments done by the planning commission hyped closed doors, in the form of an excel spreadsheet. You can have the recommendation of zap, recommendation of other land commissions, and you're going to have a pile that the public cannot understand. >> Mayor Adler: Thank you. >> I

applaud this, I applaud consensus, and I hope that you can get us back to basics. Thank you. >> Mayor Adler: Thank you. [Applause] >> Mayor Adler: So as we're noting people here, I don't know how you keep track of who we called that didn't speak, but our rules allow those people to speak. So they're checked as called but they didn't speak. Make sure you keep that list going, too. Okay? Is Hara here? You'll be up next sir. >> Thank you. My name is dick Hellerman. I'm in district 5. Listening close to all the speakers, obviously there's lots of issues with codenext, as it stands today. I guess the question is, are we going to fix codenext as it stands, or vote it down and go to plan B? I have no idea what plan B would look like. I think codenext has had five years and millions of dollars put into it and can be fixed, but obviously it's going to take some time. It's complex. Obviously, if you look at the 30 or 40 people who signed up to speak, most of them, their position is neutral, so they don't have enough to look at, to actually make a decision one way or the other. Let's look at something that codenext, I think, is going to do for us that's

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positive, in a fairly overall way. We've lived for 25 or more years with an old patch patchworkcode, and somehow we've survived, even though lots of our city still needs work. Would codenext be simpler than our current code? Certainly it's simpler. Would codenext be friendlier to people who want to add a room to their house? Certainly, that's been cleaned up and it would be friendlier. Is codenext scene of the perfect?obviously nothing's perfect. Time is not on our side. Growth is like a steamroll inner Austin but there's nobody at the driver's seat. Heavy lifting for population growth in Austin is going to be the nine corridors. And those nine corridors will have to be preserved by capmetro's project connect with transit. Obviously, you have intense population growth, you need transit. So we have corridors, we have project connect. Codenext is the third leg of the stool. And codenext is important. Have you ever seen a stool with just two legs? Thank you. >> Mayor, and I have question for Mr. Kellerman. Thank you. Mr. Kellerman, you said -- where is the list you were talking about number of people neutral about codenext? You were talking about the signups today? >> Signups today, yeah. >> Pool: Okay.

[10:58:08 AM]

Great. Thanks. >> Mayor Adler: Is Bob Thompson here? You'll be at this -- either podium. Yes,. >> Good morning. My name is [indiscernible]. As Jennifer said, we've been to countless hearings, meeting, and talked about codenext and three of the issues we mainly talk about are deeply affordable housing that's accessible, integrating, in all zip codes of this wonderful city. We know there's only one -- one development downtown that is affordable. What if I want to live downtown? Well, that's not possible. There's also the parking issue. I don't drive, but maybe my friends do and I am a passenger in their vehicles. So we need, you know, Ada parking. You know, I'm all for the environment. I love the environment. That's why we have a planet. And -- but we also need parking because if you take parking away, you literally strain people that are driving in certain areas of the city, and you hold them hostage. And the sidewalk network. We do pretty good, but we have work to do. We have lots of work to do

because we -- I still get stuck on sidewalks that I have to go around poles that are in the middle of the sidewalk, even if it's a brand new sidewalk. So, you know, codenext needs a lot of work and we've put in the time, as Jennifer said. We've put in the effort and we've seen very little, if not nothing, for our effort. [Applause]. >> Mayor Adler: Is Tracy druan here? You will be at this podium. Sir.

[11:00:08 AM]

>> Mayor, councilmembers, my name is Bob Thompson. I'm a member of the south Lamar neighborhood association and also volunteer at the Austin apartment association. I'm here today to testify my open signatures to the severe reduction by more than a factor of two and the minimum off-street onset parking requirements in codenext. Both my neighborhood colleagues and my fellow rental property owner/manager colleagues are strongly opposed to this reduction in on-site parking requirements for new construction under codenext. And the opposition is very strong, something on the order of 85%, I would guess. The reason is that inadequate on-site parking clogs up our streets with spillover parking and makes the streets unsafe. Many of our neighborhoods presently have a large amount of infill development going on, including the south Lamar neighborhood where I reside and where I own rental property. The infill development even under code now is increasing attendant significantly and leading to busier streets. New infill under codenext would be much worse with the vast reduction in parking requirements that codenext would permit. With such strong public opposition to these parking reductions, frequently voiced in previous public hearings, how did such large parking reductions survive and make it into version 3 of codenext? Merely holding public hearings while ignoring the public complaints that come forth in owes hearings does not institute true public input into the process. Codenext has even gotten

[11:02:09 AM]

worse over time with no parking at all required in ads and transit Zones under certain circumstances. And I think it's part of a war on cars that seems to be going on. New urbanists seem to be overrepresented on the planning commission. Developers and realtors are interested in sales and sort of hit and run developments in too many cases and they have a conflict of interest with those of us that are long-term owners and residents of the products that they build. Walking and biking everywhere is impractical. It's not possible for elderly people such as myself, can't walk and bike everywhere. Disabled children. Our neighborhoods, many of them, including our own, are fairly large. The south Lamar neighborhood association has more than 10,000 residents. [Buzzer sounds] It's more than a mile to the nearest bus stop and two miles to the nearest grocery grocery. It's just absurd that you have allowed codenext to get this far with such weak parking requirements. >> Mayor Adler: Thank you. [Applause]. Is Kathleen Zimmerman here? You will be up at this podium. Come on down. You have three minutes. >> My name is Tracy. There's been a lot of big ideas talked about here. I have a very small one that just affects my neighborhood. In grid N 6 in district 5, one of the affected addresses is 2117 dry tor

[11:04:12 AM]


torgtugas. One half is as residential and one is different. I believe both sides should match. The neighborhood is built O it's all single-family detached homes on their own lot. They began being built in '05 by the same builder. I think part of the issue is that the current zoning is an interim zoning. I don't know what happened back in the day when they started building the houses, but it ended up with an interim sf-4-a. So I understand that interim might have caused the problem when they transferred everything over. I was kind of late to this whole process and I was told at this point the only changes that could be made would be to come to you guys so that's why I'm here. So nothing huge, just something that actually affects my personal home. So it's just a change from a multi-family residential to a single-family residential area. >> Kitchen: Mr. Mayor. If you would contact my office, I am Ann kitchen, your city council member. So I know the area you're talking about and we will work with you on that. So if you will contact my office that would be great. I've asked my aide to find you but he had to step out a minute. Thank you for talking about that. >> Thank you so much. >> Mayor Adler: I would also point out today that two councilmembers are off the dais. Councilmember troxclair on a maternity leave and councilmember Flannigan is representing the city on an economic development trip to overseas. Is Gina Gregory here? You will be up at this podium. You have three minutes. >> Thank you.


[11:06:14 AM]


Hello, my name is Kathleen Zimmerman. Our school serves 1,000 students in grades pre-k through 12 in councilmember pool and Casar's districts. We've been a part of the north Austin community for 20 years. In 2016 nios and the public charter school community participated in a process with city staff, including Andy lien sigh 17, Donna colutta and Brent Lloyd as well as Austin ISD and local stakeholder groups to reach an agreement with land use regulations that would apply to local public charter schools. This resulted in current regulations that require a traffic analysis for any public school locked on a residential or collector street. Codenext requires for a traffic study regardless of the school. It would have an adverse impact to our schools. So we respectfully request that the city up hold the existing agreement that was vetted thoroughly by all stakeholders and approved by the city council in 2016. Thank you. >> Thank you very much. Is Roy Whaley here? Is Mary Arnold here? Is [indiscernible] Here? Proceed. You have three minutes. >> Hi. Good morning. It's a pleasure to be with you. I'm frozen Jean in a Greg guernseyry and the superintendent for harmony schools here in Austin. We serve about 4,000 students across the Austin area. I as well worked with Kathleen in 2016 for public school charters. We went through a vetted process with staff and city stakeholders to reach an agreement regarding the land use regulations that would apply to local public charter schools. This agreement resulted in current regulations that require a neighborhood traffic analysis, nta, for


[11:08:17 AM]

public schools located in local, residential or collector streets. Codenext requires nta for all public schools regardless of location and that could be detrimental for us. Nta would greatly increase the cost of construction for charter schools. So I respectfully request the city to up hold the existing agreement that was vetted thoroughly by all stakeholders in 2016. Thank you very much. >> Mayor Adler: Thank you. [Applause]. After Ms. Arnold will be Roy Whaley. >> Good afternoon, good morning, councilmembers. My name is Mary Arnold. One of the ropes that I'm here is to have my three minutes. I've been in Austin since 1972 -- I've been in Austin since 1952. I was away for about two or three years after I graduated from college, came back to graduate school and got married and then eventually moved to Houston for about three years. One of the things that I have loved about Austin and its architecture is how eclectic it is that you can have a small house right next door to a big huge one. That we still have areas of Austin that are historic. I identify particularly with Clarksville because my husband and I rented a house on Waterston street when we first married in 1959 and it was adjacent to the Clarksville neighborhood. And we began to learn the history of that area. Later on my daughter was at O Henry junior high whose mother Pauline brown was very, very active in the

[11:10:18 AM]

Clarksville neighborhood and head of their community development corporation for a number of years. I speak very strongly in favor of what Mary Reid has said. I'm also upset with codenext because whoever this company was that did it did not start with a topographic map of Austin. They did not get a sense of the differences in elevation, the differences in soils, where the creeks are, et cetera, et cetera. And I was on the Austin tomorrow committee and of course that plan came up beginning to look at why there were differences in the topography. And what that meant for building and zoning and how we could develop the land, that it wasn't all the same. So I'm in favor of having the neighborhood plans, small area plans and not having a one-size-fits-all. The new drainage plans sound wonderful, but right now codenext is not the way to go. Thank you very much. >> Mayor Adler: Thank you. [Applause]. State your name, please. >> Hello, my name is Laura Lee. Thank you, council, for serving. Codenext needs to be abandoned for four reasons. Code unjust is not variant. Code unjust drives up the cost of housing. Code unjust explicitly doesn't incentivize and protect landowners who might choose to beautify our city with preservation of natural areas, of parks, golfing areas, ranchland and

[11:12:20 AM]

forestation, if given the opportunity, if incentivized. I'm going to focus on the fourth reason code unjust should be abandoned. Development code should foster preservation of established neighborhoods. Diversity is a shield being used to protect the special interests of the rich while leaders leave the poor unprotected. Our leaders prejudiced against the poor should be restrained. The poor should be included in our definition of diverse emceeing as many of them are minorities. I am particularly opposed to

section 23.5.5 of code unjust and the definition it gives to the term subdivision. This narrow definition of subdivision can be used against neighborhoods that are termed to not be subdivisions and thus strip them of their rights as residents and as Americans to govern their neighborhoods. Our priority as a city should be preservation of our people, respect for established neighborhoods and government by residents. Government is to be of the people, by the people and for the people. Personally I would rather have a city of neighborhoods with the inclusion of poor people and have peace than have a city that is rich with beautiful sky scrapers and condos and filled with class warfare and violence. Code unjust fosters division and therefore I am against it. Rather than using bait and switch tactics we should receive justice for our city, shepherd love and tend to our minorities and our poor. Showing them how much we value their kind contributions of peace to our city.

[11:14:20 AM]

We should celebrate all people of peace regardless of poverty. We need to keep out trouble makers who will come in, upset our city which is known for its kind, compassionate tolerance of one another and not devalue good hearted people who happen to be poor. Respect and love for those who live here peacefully and having vested relationships should be valued. [Buzzer sounds] Code unjust waives the way for a decline in the number of individual residential properties, uncoded poor people in historic neighborhoods, and paves the way for larger buildings that are coded for. >> Mayor Adler: Thank you very much. >> My name is Laura Lee and I oppose code unjust. [Applause]. >> Mayor Adler: Is Megan meisenbach here? You will be at this podium. Mr. Whale Whaley, you have three minutes. >> Typically when I come to address you I am representing the Austin Sierra club or myself as an individual. This morning I am representing the save Barton creek association. I've been a board member there for, well, longer than most people care to think. We sent you a letter dated may third of this year. If you don't have easy access to that letter, I will certainly get a copy of it to you or anyone on your staff. I just want to highlight the letter, the highlight areas, we are neutral on the cod, but specifically concerned about certain environmental aspects. Of course the whole code is

[11:16:21 AM]

environmental. You can't separate the environment from anything or anything from the environment. However we have six bullet points. One we would like to see the the the. Expand use of the green storm water controls for water control to residential neighborhoods. Four, remove the exemptions to the impervious cover limits and redevelopment exception and water quality -- exemption and water quality sections so that corridor redevelopment can sustainbly and help fly and hopefully reduce flood risk. Five, corridor with the water forward 100 year plan to reduce water demand. Waterford has been working very hard on this. We don't want to have this just be another citizen volunteer driven effort that is ignored. And six, to use the natural irrigation to water our trees and other vegetative areas. And to have dual plumbing in all new buildings. It is expensive to retrofit. It's much easier to require it from the beginning to have the purple pipe internal, inside the envelope of the building and have water reuse at

that time. Like I say, I can happily share this letter F you don't have easy access to it have someone on your staff get me and I will have them make copies. Thank you for your time this morning. And I'm going to go sit down

[11:18:23 AM]

now. >> Mayor Adler: Thank you. >> Hello, I am Megan meisenbach. I would like to thank you for winning the hearts of your constituents back and get us back on the same track. I know you're going to work hard to make the code work for us. But I don't think it's there yet. This is a little bit of an obscure example but I'm worried about the engineer for the site plan in new development. You have probably read about the house near 24th and Windsor, the backyard has fallen into Pease park. This is called slope failure and it's a geologic entity. In judge's hill we have the same fragile geology. So if you don't have an engineer that is of the city or neutral, the engineer can sign off and not put their seal. The seal is required to have a reel engineer's plan. We had an example of that in judge's hill. Perhaps I shouldn't bore you with that, but it was the same geologic feature, the engineer didn't put it on the correct place in the diagram and the city staff accepted it without the seal. So it's the same thing. Perhaps that's a little too detailed for today. But I think look into the engineer's seal. >> Mayor Adler: Thank you very much. Is Jonathan Kinney here? Is Michael curry here? Come on down. You have three minutes. >> I'm Jonathan Kinney. I live in district 9. I'm here to state my

[11:20:23 AM]

opposition to codenext, but more importantly my opposition to the process that has culminated in codenext. You all know the history, development of and agreement upon neighborhood plans has been going on for 20 years. 30 plans are in place. More than half of austinites live in areas with neighborhood plans. Imagine on adopted these plans. In 2014 project director Adams assured us that codenext would not throw out neighborhood plans. The first draft applied the neighborhood neighborhood plans. Yet they have been massaged out through complex language and because of ulterior motives. One such complex addition is the nonconforming section which will affect so many people in our neighborhoods and they don't know it yet, not until they try to pull a permit. So it won't be so easy to add a bathroom or a bedroom. You might end up with a rude awakening there. It's not too late to get it right when we haven't yet determined what right is. I will say it is not too late to have the right process. That would not be to hire outside consultants to design a city code built around development for people that don't even live here yet. That would be to reengage the neighborhoods, residents and businesses to achieve goals that are agreed upon to address the city's needs. Who better than us? We don't want to lose the wisdom of our elders who cannot afford to live here, our current residents who won't be able to afford to live here and our local business leaders. We can do this neighborhood by neighborhood and districtly district. That is where the wisdom is. We are smart enough to do together, to address density, affordability, environment, water, parking, traffic. There is a wealth of talent right here within our city

and neighborhoods. We have done this already with our neighborhood plans. Previously negotiated agreements that are thrown

[11:22:24 AM]

away unilaterally should not become the norm of this society, especially ones that are legally binding. You do not want your names attached to that process, especially if you thought this won't target my district. Let's get this process right and I'm here to help. Thank you. >> Mayor Adler: Is Brent torgumeson here? >> I'm Michael curry. I agree with everything the previous speaker said. I'm going to speak more directly than is my custom because that is what I think the moment calls for. I was raised to believe that engagement in civic life, whether by voting, marching, protesting, working in campaigns, getting involved in government initiatives and speaking at hearings, is the duty of every citizen. To the fullest extent that they can given their circumstances. Do those to whom much is given much is expected and I've been given much in this life. I've participated many times in the city processes over the past 40 years. I've been involved in two city planning processes. Multiple neighborhood planning processes. Now two code rewrite processes. Task forces on streamlining the development process. Zoning oversight, homelessness, and countless zoning cases either as a participate or as a mediator, which is my profession. And with that 40 year history, I must say without a doubt that the codenext process is the most dysfunctional, counter productive process I have ever been involved in. Inevitably the product is no

[11:24:25 AM]

better than the process that produces it, and such is the case here. The goal of any governmental process such as codenext should be to bring people together around a shared objective. Codenext has not only failed miserably to do that, it has damaged any consensus represented by imagine Austin. The top drown, secretive, heavy handed, untethered, overreaching, crammed down, get it done at all costs, codenext approach has shattered any trust that citizens could have had in codenext. The codenext approach was most recently illustrated by the planning commission's vote aramah travesty where they voted on many amendments with virtually no notice, discussion or deliberation. And I am told introduced elements not in imagine. But really what should we have expected from a commission with more members connected to real estate and land development than allowed by the charter? They saw an opportunity -- they saw an opportunity and they seized it. We are left today with a broken process and a broken product and a way forward proposed by council that will not fix either of those. And so we have hearings such as today where citizens are given three minutes to discuss a 14-hundred page plan, knowing that there are hundreds of recommendations that have not yet been reviewed and -- [buzzer sounds] And if I can finish up. And new city council proposals that have not been formulated. Not to mention thousands of zoning cases represented by the map. It did not have to be this way. I know. I've been through this process. You are responsible and you need to change course, consensus and vote from the bottom, not the top. Thank you.

[11:26:28 AM]


\>> A Brent torgumeson here? What about Kevin mclaugh mclaughland. Why don't you come on down. Is Patrick rose here? You will be up next at the other podium. Mr. Mclaughland, you have three minutes. \>> I'm Kevin mclaughland, a board member from district 9 near Hyde park. According to farm and city, 758,000 people are going to move to the Austin over the next decade. Not that I think it matters, but contrary to what the president of the ANC apparently thinks, only three percent of those new austinites will be from California. In fact, half a million of them will be people of color. Which means we finally have the chance to desegregate Austin and become a truly integrated city. Those people are coming here for the opportunity that Austin provides. We should be proud that they want to move here. Now, these people have to live somewhere, and the best place to build this new high density housing is the imagine corridors as mayor pro tem tovo has said. If that's going to be our strategy we need to make sure that our rules actually support density in the corridor. Specifically we need a corridor of homes that step down from major corridors such as burnet and Lamar. Not only will that allow us to build the density that we need in the corridor, but it will also make for a more walkable transit friendly city. I'd like to close this by saying that parentally our national discourse right now is to shut people out of the


[11:28:30 AM]


opportunities that America can provide simply because of where they come from. We should not use our zoning rules to build an invisible wall around Austin. We better than that. When I walk around I see a lot of codenext wrecks Austin yard signs, but I think another one reflects more our values. It says no matter where you are from, we are glad you are our neighbor. I hope we can go into the last few months of codenext with the spirit of that sign and create an Austin for everyone. Thank you. Is Vicky gale here? You will be at the other podium. Mr. Rose, come on up. Take your time. \>> My name is Patrick rose and it's a pleasure to be here with you today. I want to start just by saying I respect how deeply difficult this process is for everybody in our community as citizens for you as elected leaders, I respect each of your hard work, your commitment, your dedication to our community. Starting with that let me say I am here on behalf of the Austin real estate council of Austin. We are a 1900 member organization and I'm proud to be here on behalf of the real estate council of Austin. We are a 1900 member group of technical experts who are also members of this community and region. We believe along with many others in a affordable, movable, sustainable community. For the past meniere's we have worked diligently and tirelessly of the vibrant, liveable and connected city called for in imagine Austin Austin. Our purpose in this advocacy supports our core beliefs as an organization. Those include the following: A creative economy provides


[11:30:37 AM]

opportunity. An affordable community encourages people living in a diversity of price points. A compact and connected community with necessary capacity along and among our interior corridors is good for the environment because it reduces sprawl in suburban Austin. I firmly, but respectbly believe that even with planning commission's diligent work that the current version of codenext in its totality, if viewed in its totality, is a decided step backwards relative to these goals and toward imagine. It is a result, and I say this respectfully, of both consultants and staff not listening appropriately or thoroughly through this process. Unfortunately it would result in a less affordable, less sustainable, more sprawling, less liveable and connected, less environmentally sound and more segregated Austin. These are the result of a flawed process. A lack of continuity of leadership throughout the process, a lack of clear focus on imagine Austin's core principles and a lack of clear policy direction with regard to items of greatest concern and the flash points, if you will. Rica supports our leaders in taking your time to put forth clear policy directives in support of the principles of imagine Austin. [Buzzer sounds] Thank you very much.

[11:32:40 AM]

>> I'm Vicky gale and president of the board of trustees at unity church of the hills and you're probably thinking I'm lost because it doesn't sound like I should be here. But I'm here because we're concerned about the effects that this could have a churches and other non-profits. Based on history, based on what has happened in other areas. You may have heard the name Mary Morrissey, she is a very successful author, speaker, spiritual leader. She had a church outside of Portland Oregon in an area that adopted a similar code. The operative word there though was had. She had a church there. They built a small church on a big piece of land with visions of building a future sanctuary. But with the code in effect, not only could they not clear the brush and trees, but they could not develop that church as it was intended. And you might think that's okay. They still had their other church, but not being able to utilize that land so devalued the property that when it came time to refinance their balloon note on their existing building, the loan to value ratio was too low and they lost their church. And their very future, perhaps their viability, is predicated on the ability to use and develop the land that they currently own. It's our prayer that when you look at this code, you grandfather in churches and other non-profit organizations that currently

[11:34:42 AM]

own property so that they can further their cause, whatever it might be, by being able to develop it at a later date. Thank you. >> Mayor Adler: Thank you. Travis Duncan, you will be at this podium. Go ahead. >> My name is Curtis Rogers. I live in district 3 and I want to express my support for the planning commission recommendation to eliminate mandatory parking requirements. Just for clarification, I am not advocating for immediate elimination of all parking. Eliminating the requirement allows Austin to evolve as transportation changes. The best example of this is not another city, it is downtown Austin. Downtown has no parking requirements, yet parking still exists. And lots of new projects continue to build parking, but it is also allowed some new structures to test building with less space for vehicles.

Regarding the A.D.A. Requirements, I'm not going to stand here and tell you what the disabled community needs. I urge you to engage with the disabled community to understand how their mobility needs can be met with the new code. Eliminate be parking requirements does not forbid parking. It simply allows flexibility so we can build more for human needs rather than automobile storage. Thank you. [Applause]. >> Mayor Adler: Thank you. Is Louise Guerra here? You will be at this podium. Mr. Duncan, you have three minutes. >> Hello! All you beautiful people. Just wanted to actually extend an invacation. Has everyone been to the center for maximum potential building systems in east Austin? That's an amazing place. They're having an open house this Friday. I invite everyone to come there. The reason why I'm bringing that up is because I think it's important for us to look at these solutions in terms of how are we building long-term for humanity's vitality. And when we continue to

[11:36:44 AM]

exacerbate our problems by building more buildings that require more energy demand, that are toxic for our wellness as human beings, it's a problem. So I think as we're looking at this issue of how we're using land, how we're using resources long-term, the real affordability is actually building net zero because then we're eliminating the need for electric bills, gas bills. We're increasing our ability to maximize our human potential. Because right now too many of us in our society are basically just living to pay bills and die. And I know it's kind of a grim acknowledgment, but I think we need to look at affordability as in people owned housing districts to where the cost of living is zero. So that's kind of the ultimate goal. And then also I think we should ask ourselves the question who owns land? I think the concept of private interests owning land and developing it for profit during their lifetime and then when they die we have to deal with the mess and clean up the mess is -- it's a challenge and we have to start thinking about new development and new lands as common property, as this is for the betterment of us as a human species. So I hope to see all of you at the open house on Friday at 5:30, center for maximum potential building systems. It's in east Austin on mlk east of 183. Everyone is invited. Anybody can come out there. They have concrete that sequesters carbon so it actually pulls toxins out. So I think one of the requirements in codenext should be no new construction unless it is net zero, rainwater, gray

[11:38:46 AM]

water systems, completely renewable, solar, glass, vertical gardens. They just had an exhibit in the library about vertical sky scrapers with -- did anyone see that as well? This Singapore design firm just came and did an exhibit. I know my time's up. I really appreciate everybody listening and working together on this. Thank you. [Applause]. >> Mayor Adler: Thank you. >> Mayor, councilmembers, thank you for -- >> Mayor Adler: Hold on one second. Let me get the next speaker up. Is Freddie Gonzalez here? You will be at this other podium. >> I am here from the district represented by Kathie tovo and I'm an old Austin artist. Some of unconscious stayed in Austin to help Austin -- some of us stayed in Austin to help Austin out and it's an uphill climb. I hope I don't step on anybody's toes, but if the shoe fits, you know what to do with it. Austin, I've been watching it changing and growing over the years. I work out of

my home. I have noise, I have traffic, I have smoke keeping me from doing my work. And then the taxes go up. They tell me it's more valuable because I have no smoke and more traffic. And then I have a neighbor who built a black home next to mine and I'm going what is this? And they're building like little forts where they surround their house with a bill tall wall and they have a black house in the middle

[11:40:47 AM]

like saying, I am in this neighborhood but I am not part of this community. And then we have the codenext thing and all the investors that are not living in Austin. What is the hurry. I heard a kid say Austin will double in size in 10 years! And I'm going, geez. The growing pains are enormous. We need to learn to let the heart lead us, the mind follows. But we don't lead with the mind. [Applause]. The heart leads. And we need to just slow down. Why don't we just let investors that live in Austin invest in Austin. Because otherwise they don't care what they do to Austin. They don't care how they hurt Austin. You need an artist somewhere in there? It's like putting salt on the wound. Because it's going to show you stuff that nobody else notices. You want people to walk, give us soft sidewalks and not concrete sidewalks. And it's possible, go to the UT stadium. And they have a running field around the football field and it is beautiful. It's cushiony. It's asphalt with pieces of rubber tires instead of stones. I mean, there's so many things that we can do if we're imaginative and think about it and lead with the heart. And I'm just saying slow down. There's no need to double the size. We already have incredible growth pains. When you have neighbors coming in and building -- [buzzer sounds] -- And wanting to reduce the value of their neighbors in their own minds because it's

[11:42:48 AM]

like oh, I'm better than you are because I spent more money on my house. I lived with a group of people that the most respected people are the raggeddiest. And they respect the raggeddiest and those are the leaders who value the whole community. They value the person who cares for the community. >> Mayor Adler: Thank you. >> They look down on the bully. They don't admire him like they do in this country. >> Mayor Adler: Thank you. >> I know your job is really difficult. I wouldn't want it for anything in the world, but I really would love for you guys to just slow down and. And we have -- we don't need to grow so much. >> Mayor Adler: Thank you, sir. >> Thank you. [Applause]. >> Is Barbara seleh here? Sir, you have three minutes. >> Hello. My name is Freddie Gonzalez. I came to Austin because I was in a car accident. I was in wheelchair and I was in a coma for nine months. Why we are against this codenext because it doesn't mention anything to do with the affordable housing, with transportation or anything like that. So if you could please slow down with that as I said before. Thank you. [Applause]. >> Mayor Adler: Thank you. Is David witty here? Is sparky metz here? Sparky? Go ahead. >> Barbara seleh, lost creek, district 8.

[11:44:49 AM]

I wore this concert shirt instead of dressing up with my normal green lost creek shirts to remind you all to continue to take time with your family and friends through this process. One change, as mayor Adler asked for changes for consensus, regarding deed restrictions, the long time and oft repeated city of Austin stance is hands off. Your new language says if codenext conflicts with the deed restriction or private covenant, codenext trumps. Please take this out. This is 23/1-a 5020 rules of interpretation. Please add as C, this title shall have no effect on private contents, restrictions or easements. I nailed emailed you about this. This is a good law. Zoning is enormously complex. I believe in 10-1. Each of you, PC, zap and consultants, must deep dive into codenext. I believe voters have not and will not. Even activists simply present vague, non-helpful resolutions such as codenext is too long. I resent having your stance called being against democracy and I event the efforts to obliterate 10-1. Putting codenext on the ballot will result only in a costly acronym war. The people with the best t-shirts will win. And right now the city t-shirts are really bad, just saying. [Laughter] Petition rights are different. People can and will educate themselves on a parcel or two by their home. Councilmember Renteria, your testimony about getting an Adu was incredibly moving. Prosperity is a good thing. I'm glad your land is worth

[11:46:49 AM]

more. Who wants to live in Rochester, New York, where I'm from where home values haven't increased in 30 years when you adjust for inflation? Property taxes are a huge burden so let's increase home exemptions and senior exemptions. As councilmember Garza notes, let's educate residents not to sell cheap to unscrupulous flippers. And I'll add, let's help folks get home equity loans. Thanks mayor Adler and kitchen for helping to get this to the courts as soon as possible. To mayor Adler, councilmembers Renteria and kitchen, I'm very impressed that you did the right thing even though you're up for reelection. Councilmember alter, please don't trash my legal profession. You wouldn't like it if I said today I'm so grateful not to have a ph.d in political economy and call myself doctor so people think I'm the kind of doctor who actually helps people. You were happy to listen to lawyers who agreed with you. I don't want a bastrop resident or billboard company controlling my city's land cod [buzzer sounds] These personal attacks and petitions are a distraction so let's work together to get the best product. Thank you. >> Mayor Adler: Thank you. After Mr. Metz speaks, we have Aletha sanromain. >> Hello, my name is David Witte and I'm with adapt of Texas. And since about the late 80s adapt of Texas has among other things worked to get accessible improvements in the city of Austin with the passage of the A.D.A. We thought that things would go a lot faster, but we're still working on a few lawsuits that are in settlement. And other access improvements that the city staff has agreed to that are taking years and years and years.

[11:48:51 AM]

With codenext you have an opportunity to make a great, vast hurdle in improvements in the city's accessibility services. And it just seems like if we had something resembling codenext 30 years ago a lot of our work would have been done by now. So don't pass up this opportunity to put as many accessibility requirements into codenext because frankly it's lacking in those requirements now. And adapt and all the citizens across Austin with disabilities would really like to see a more accessible and liveable city for all of us. Thanks. >> Mayor Adler: Mr. Witte, thank you. Now Mr. Metz? Sparky metz? >> He's right here. >> Mayor Adler: >> Mayor Adler: Take your time. And then Ms. Zimmerman, you will be up next. >> Good morning. My name is Albert metz. I'm with adapt of Texas. I'm also on the board of community now.

[11:50:58 AM]

I go all over the city. There are big gaps in the sidewalk. >> Slow down just a second. You said you can go from south Austin? >> If I go down to south Austin, if I go down so south congress, south William cannon, I get to a certain point and there's no sidewalk. There needs to be enforcement in the code. Y'all need to go out and see that we need sidewalks. Bus stops that are accessible. Thank you. >> Mayor Adler: Thank you. [Applause]. Thank you, Mr. Metz.

[11:53:00 AM]

Ms. Sanromain. And on deck at the other podium is Richard Donavan. You will be at the other podium. You have three minutes. >> Okay. Great morning, councilmembers and mayor. My name is Aletha San romaine. Although I have taught college for 23 years and am a reasonably intelligent person, there's a lot about codenext that I just don't understand. But after attending a couple of information sessions, I have come to a few conclusions. Codenext feels to me like a runaway train in a no one except for four councilmembers is willing to slow down. For such an important rewrite of our city's zoning laws, in its current form it is massive, far reaching, poorly thought out and full of bad ideas. It seems that for most of you your minds are already made up. But I'm asking you today to please listen to the common sense and to the experts who are giving you the facts and figures as to why this is not a good code in its current form. I ask you to please slow this process down. Austin needs a new zoning code. That is beyond dispute. Please take the time to make this a really good rewrite, one that truly benefits the people of Austin and not the development community. When I asked people in the know what's the big rush, I am told that this is to get this done before the mayor's elect in November. This is not a good reason to force this poorly developed behemoth into the city of Austin. There is a lot of anger towards this code, but there is a lot of resignation to the people I've talked to who feel that there is nothing they can do about it. That is a huge sign to me that this is a bad idea, bad for the city of Austin and bad for the folks who live

[11:55:01 AM]

here. If the code was good, you wouldn't have won commission saying it should be tabled and another one working around the clock to rewrite it at the 11th hour. I do not fully understand everything about codenext, but one thing I have concluded is that this code is not yet good for Austin or for homeowners and renters who already live here. It seems designed to provide profits for developers and to turn neighborhoods into tear downs. It also seems to exacerbate the very things that it promises to abate: Gentrification and less lower cost housing. Please use your vote to hold out for a better codenext, a more thoughtful and well designed code rewrite for our city. Austin deserves better. Thank you. [Applause]. >> Mayor Adler: Is Stephanie Thomas here? Stephanie Thomas? Okay. Sir, you have three minutes. >> Mayor Adler, members of the council, most of the comments on codenext have been generalities, although some specifics have been noted. I want to speak to my situation. Have any of you actually looked at the zoning maps and seen any strange breaks in that map between one type of zoning to another? Have you? I mean, yes, no, maybe? I'm at 1903 stoneridge road which is in district 8, and I have a street that's been there since 1979. I've been there for the last 28 years. And the zoning map divides my street in half from an r-1 to an r-2. I don't know how anybody in

[11:57:01 AM]

California -- a planning group out of California can possibly think that makes any sense at all. And I would be more than happy for somebody to explain to me how you can take a street and have multi--residential complex on one half of the street and not on the other half of the street. I'm really upset. I really feel like this council needs to reevaluate this entire zoning, specifically look at areas of this zoning and how it affects existing neighborhoods that have been there for 30 and 40 years. Thank you. >> Mayor Adler: Thank you. >> Hi, my name is Stephanie Thomas. I'm also a member of adapt of Texas. And I would just like to say that many of us, as David said, have put in over 30 years of work on making Austin more accessible. And there are people before us who worked hard on this issue as well. And what we want to know about this code is how it's going to affect accessibility. But when our members have gone to the various hearings and listening sessions and various meetings that have been held, they've been blown off. Their questions have been ignored and not answered. And we need answers. I mean, I don't even know if I support it or not anymore because there's no answers to the questions. How is it going to affect affordable, accessible, integrated housing? How is it going to affect the visibility ordinance that we fought so hard to pass in this town? How is it going to affect smart housing and the 25% adaptability requirement for housing that's developed. How is it going to affect affordability because I'm tired of hearing about affordability. I'm talking about affordability for people of 30% and below and 15% and below. How will it affect them?

[11:59:02 AM]

Those kinds of answers just aren't -- I have not read it cover to cover what's on the web. I've even heard that's not relevant anymore. But I tried to hunt through it and I found almost nothing on accessibility in there. And the affordability stuff was pretty vague. So how is it going to affect access to community areas like sidewalks, like parks, like public streets around here and getting in and out of stores and that kind of thing? There's not really anything about that. And when we try to ask, it's just been blown off. We've heard it's going to eliminate downtown parking, including accessible parking. I mean, I just want to echo what Jennifer said, some people need to get near where they're going in their cars. They need to be able to park nearby. Not just people in wheelchairs, though that is of course part of it, but also people with congestive heart failure, with emphysema, a lot of other kinds of disabilities that don't maybe even look like they're disabled, but they're even more in need of being close. So these kinds of things, we need answers to these things. And it is amazing to me that there's so very little information on that available at this apparently late date in the process. Because that has been a big, big emphasis of this community for many, many, many years.austin has really come a huge distance in my time of living here since the '80s of making itself more accessible. Now we don't know if that's going down the toilet, if it's going to be continued, if it's going to be modified how, and if it is going to be modified, you haven't included the disability community in that. [Buzzer sounds] So we'd like some answers. >> Mayor Adler: Thank you. Matt Lewis? Is Matt Lewis here? And then is Jeffrey tawalla here?

[12:01:04 PM]

You'll be up next. Mr. Lewis, you have three minutes. >> Good afternoon, mayor, council. My name is Matt Lewis. I live in district 4. It's unfortunate today that we're not standing here celebrating the next generation of Austin that we're creating for the future. You know, this is what this land development code should be creating, is places for the next generation, sustainable places, livable places and placing that are worth caring about. Our current Frankenstein code that's 30 years old creates parking lots and big buildings really well, and it has lost touch with how to design human skill places. And we need a new code at a rapid rate. We should not build the doubling of our population under the existing code. We know the outcomes of the existing code create bad development patterns. They leave a fragile population even in more of a difficult situation. And our community deserves a better built environment. It will protect our public realm as well as enhancing and protecting the environment. Imagine Austin laid out very clear directives for codenext, creating a series of complete communities, a series of villages, if you will. And if we had access to walk, bike, or drive to close proximity services, daily services that we need, then we would eliminate and help reduce some of the traffic that is plaguing our city where we're trying to drive to Clarksville, for example, I'm going to get a little bit more specific about the code and some of the good things that it does. The orderly organization of the code is much more transparent and E to read. Easy to read. The ability to build small scale buildings that allow for transition for commercial services within and around the neighborhoods is a great addition. Clarksville has it. Hides park has it. Some of our favorite neighborhoods are built in this

[12:03:05 PM]

type of configuration, yet the existing code makes those places illegal which drives up the prices of the great places we all travel to, go and experience in Austin. Those are the types of things we need integrated in the code. We need to ensure this code will carry the next generation in a sustainable future, and we're hopeful that, you know, codenext will achieve those things. So thank you for the time. Thanks for all you do as well. >> Mayor Adler: Is David foster here? Mr. Foster, you'll be up next. You have three minutes. >> Thank you, mayor, mayor pro tem, members of council, for allowing me this opportunity to speaking. My name is Jeffrey tawalla, here on behalf of the real estate council of Austin. We're comprised of over 1900 commercial real estate professionals throughout Austin and represent premier advocacy association for central Texas commercial real estate agency. I'd like to commend the planning commission for work over the past weeks and months. They were dealt an impossible task and terrible starting point, and they handled it extremely well, often working late into the night. However, even despite all this hard work, the draft we have in front of us today is nowhere near complete and nowhere near functional. Our members have put in countless areas to review the last three drafts. These are our experts, and citizens of Austin who gave up their valuable time and expertise to contribute positively to the process, a process in which most of that feedback has been blatantly ignored. As we reviewed each draft, including this one, we asked ourselves three simple questions. Is it more predictable? Is there more clarity? It does make Austin more affordable? What I can tell you is that draft 3 is none of these things. There are still numerous competing layers of regulations throughout all the sections, positive gains made by planning commissions and housing diversity are made ineffective by the zoning sections, which comprise

[12:05:06 PM]

at least seven chapters within the code this draft is 564 pages longer than our current code. These are all things that were highlighted in the code diagnosis released all the way back in 2014. These are all things that we as a community should be seeking to address directly. Reca believes it is important that we get this code right, that we work towards a solution that creates more affordable housing, better mobility solutions and a more efficient process. City council should take the time it needs to review the current draft and every option should be on the table, including clarifying and providing better policy directives to statistics exhaustive testing of the various layers of the code, and perhaps a reevaluation of this entire process. We have been and are committed to getting this right. We would urge city council to do the same and to bring us a better code. Thank you. >> Thank you, mayor and council members and staff and community members. I'm David foster. I'm here to speak on behalf of clean water action. I want to focus my comments primarily to the water features in draft 3. My overall position on codenext is, at present, neutral. It's very much still a work in progress. There are some features concerning water in draft 3 that I support, but I also thank there is room for improvement. And I did bring a handout with me that I would like to have distributed, or I guess it's already happened. And I'm just going to hit some high points of that. This is a revised version of a piece that some of you have already seen. So in big picture terms what Austin needs to do is continue to grow, which we know we're going to do, design our buildings so we're mitigating flooding, that we're holding stormwater on site and cleaning up that water before it rushes into our creeks. And there are opportunities to do that in codenext. One of the features

I like that's in draft 3 is the so-called green field rule, which would require any big -- any development of 45% of impervious cover or more or

[12:07:10 PM]

redevelopment, to retain water on site to stop some of that water from flooding into creeks and also to clean that water up. So this is a step forward. What we're seeing now is a lot of the parcels on the arterials and beginner sections that are being developed are not doing anything to address those problems, and many of these properties that we have, these aging strip malls, were built before water quality and stormwater controls were in effect. I also support draft 3 language that would require lots with two to six units of less than 45% cover or less to get a letter of certification from an engineer stipulating that the drainage or the flooding that results will not adversely harm neighboring properties. This is better than the nothing we're doing on these small lots right now. And I also want to caution you that among the many recommended changes that the planning commission made last week, they proposed eliminating this in favor of simply a letter from the developer and the owner that there will be no adverse impact on neighboring properties, and city staff said Friday that the this, the city would not be able to enforce. So please keep this requirement for an engineer's letter. We should improve the water quality front. Draft 3 carries reminders of 8,000 or more of impervious cover, install water quality features. We're recommending 5,000 square feet, and that's what your own staff recommended in 2013, and they've told us they'd be happy with that. The reason they haven't recommended it is because that's what the at-large council stipulated, 8,000 square feet in 2013. So I think that's also an opportunity for improvement. I want to talk about, real briefly, another proposed amendment that the planning commission made last week, which I think would be truly horrible. What this would do essentially is create a massive loophole on all water quality tree protection, set back requirements, et cetera -- [buzzer sounds] -- >> Mayor Adler: You can finish your thought. >> Thank you very much.

[12:09:10 PM]

What it says is that every property would have the right to 60 -- I'm sorry -- what is the percentage? 70% of its allowed impervious cover in that seen, irrespective of what these other rules are. So, in other words, if you have some parcels along arterials, as you do in my neighborhood for draft 3, with 70% of impervious cover but can't build out because of heritage trees that builder would be able to build 70% of that entitlement, even if it means removing those heritage trees. And that's true of setbacks as well. You could waive the setbacks to get up to 70% of what would otherwise be allowed, compatibility standards would be out the window, water quality controls and so forth, that proposal essentially drives a massive loophole between just about everything you see in draft 3. So thank you for your time. I'll be visiting with the offices in the coming days and look to make this better if we can. >> Alter: Mr. Foster, your sheet seems to say 90%. >> Whatever she says is it. I'm sorry, 90%. So you could still build up to -- thank you for that correction. >> Alter: If I'm understanding -- >> I spent hours and hours looking at this, so it's all kind of a blur. But you could do up to 90% of your entitled impervious cover according to this

recommendation, which would erode all these protections. >> Alter: So in council when we were meeting, it passed an amendment that would set a firm floor so you would get to development 90% of the -- >> That's right. This is essentially a floor. Yeah. You couldn't -- >> Alter: Of what would otherwise be allowed on that property? >> That's correct. >> Alter: Regardless of environmental features? >> Regardless of that, regardless of setbacks, compatibility standards, anything, tree protections, initiation you name it. Thank you. >> Mayor Adler: Okay. Thank you. Is Dan keshett here? Dan keshett. Chris hale? Come on down.

[12:11:11 PM]

What about Gus peña? No? What about Jay krawsley? You'll be at this other podium. Council, these are the last two speakers I see, having been signed up. Three minutes. >> Thank you. This is really cool. I don't know what district I'm in, so Seton 85. Everybody up here, everyone who has spoken has raised concerns that are much more important than mine. Mine's extremely minor. I work in the arts community so I'd just like to point out one tiny thing about that. Within the mixed use section of the code, you allow for -- you require one parking space here 500 square feet, but for non-medical offices, you allow an exemption up to 2500 square feet. I would like you to consider extending that exemption or expanding it to your art studios, places where people make artistic work. It was explained to me that this exemption allows for small lots to be developed without what would be consider onerous parking restrictions, and this would allow those smaller lots to be placed within the reach of your small generally city-funded nonprofits. Just a suggestion. And of course I understand the distinction between venues and work spaces. Venues are places where lots of people go. Work spaces are places where a single artist or small group of artists work. This would allow for development that is inherently local, that is totally unique, and that as Austin grows and changes, it would retain and develop new and interesting character. That's it. >> Mayor Adler: Thank you very much. And then on deck will be Ron thrower.

[12:13:12 PM]

Is Victoria oz here? You'll have six minutes. Go ahead. >> Hello. Councilmembers, thank you so much for your service to all the people of the city of Austin and for this time. My name is Jay crawsley. I work for a nonprofit, farm and city, we're a little think tank that does transportation urban policy statewide. We've been doing a project oath Austin region's growth and sort of sustainable region growth policies called growing weirder, and we had a series of events and a bunch of ways to look at regional growth. And it's really focused on codenext and the regional transportation plan, which I believe are the two things that are sort of the most important things dictating regional growth here in Austin and dictating traffic and affordability and all those kinds of things. So I kind of want to just come -- we're going to -- one, we're going to deliver a bunch of reports to all of you, and your interns can look at all of them. But I wanted to make just a couple key points, that this process, I believe, the zoning code, and the decisions you make in this process, will choose how many people are allowed to live in the city of Austin over the next ten years. And looking at staff's analysis of the current code and codenext version 3, the current code would

allow about 180,000 more people to be added to the city of Austin over the next ten years. And codenext version 3 would allow 350,000--ish. The 180 number is 25% of regional growth. The rojis going to add about 50,000 people a year, and more, as we go forward. Most of those people are people of color. Most of them are coming from Texas. 3% of our growth is people from California, by the way.

[12:15:14 PM]

And so the questions of codenext are questions of whether we will limit how many people are allowed to live in the city. And codenext version 3, according to staff analysis, would allow about 45, 47% of regional growth, which is Austin's current size in the region. So from our point of view, any number below that is limiting the city, so saying the Austin city limits are a big line, and you're not allowed here. And there are key -- a key question is there are environmental traffic affordability questions here. The vehicle miles traffic in greenhouse gas and emissions costs of not allowing people to live in the city of Austin are huge. The affordability costs are huge. The city of Austin remains the most affordable part of our region, but aside from all the myths you hear about driving to qualify, scientist through. , Is not true. If you talk about housings could, not just single-family costs to buy one. So I hope you all will think about that as you go through this process and allow more people to live with me here in the city of Austin. Thank you. >> Pool: Mayor, I have a question. >> Mayor Adler: Yes, Ms. Pool. >> Pool: Thanks for being here today. You said something about 3% of the people coming in are from California. What's the total percentage coming into Austin that that 3% is extracted from? >> That's the regions growth, like, every year. I guess that was -- so, like, of the total people added to the city of Austin, some of them are people who are born -- I think it's about a fourth of our growth, just people being born here, then there's people -- most of the growth is people moving from other parts of Texas. So out of that total number, the number of people coming from California is about 3% of our growth. >> Pool: All right. And you said that most of the people moving to Austin are people of color?

[12:17:14 PM]

>> The region, the added -- yes. In all scenarios from the Texas state demographer, the majority -- the majority will be hispanic people added to our region, and general people of color. >> Pool: And you said to Austin. You didn't say to the region until just now. How have you extracted the numbers coming into Austin? >> Well, the projections are Texas state demographer's numbers for counties, looking at the six counties, but if you look at the city of Austin growth -- I've also done it looking at actual growth over the last ten years. The city of Austin's growth over the last ten years has been majority people of color, and it's expected to be the same. >> Pool: And is this data in the documents that you're going to give to us? >> Uh-huh yeah. >> Pool: With the source footnotes and so forth? >> Uh-huh. >> Pool: Then do you have any suggestions for -- because you're talking about people coming into Austin. What about people who live here now, what suggestions do you have for them in order to be able to continue to live here, in Austin? >> Yeah, we need abundant housing so everybody here can stay here and limiting, I believe, limiting the development of new housing to meet the growing demand is extremely harmful to the

people who live here today, and the displacement is a product of this what I believe is segregation, so I believe we should stop doing that and we should -- adding -- it's best described by somebody who was -- I'm sorry, I don't know, it was a developer who spoke at a planning commission meeting and he was explaining about how you can't keep up with the demand of rich people moving here. He was like 10,000 fluent female are moving here to this region every year. And there's your problem. Those people are going to move to the center of Austin, regardless of what you guys do. And if we don't allow housing to be built for them, they're going to find other houses, and that will drive up the cost of existing housing stock.

[12:19:16 PM]

And so... >> Pool: Okay. Well, thank you. Our demographer -- just my last point -- has advised us that we've had 7% housing vacancy rate consistently for the last five years that he has calculated. It was in one of our budget work sessions. And I'm curious about the 7% housing vacancy rate and how it comports with the statements that you are making. So thank you very much, Mr. Crossly, and I look forward to seeing the additional documentation that you're going to provide us. >> Mayor Adler: Let's go ahead to the last speaker. Thank you. >> Thank you. >> Mayor Adler: Mr. Thrower, you have six minutes. >> Mayor, mayor pro tem, council members -- >> Mayor Adler: We don't have a mic on for you. >> Pardon me? >> Mayor Adler: Try again. >> I just wanted to say, first of all, I've got a series of thank yous to go through. I first of all want to thank the planning commission and efforts they put in, going through all the deliberation and the detail they did on codenext. I think that's very important. And I also want to thank all of the commissions that have been involved with codenext to this dateand all the public hearings they've offered. And I want to thank staff for the dialogue they've provided to the discussions. I've personally asked hundreds of questions relating to codenext and staff has always been responsive. I'm not just talking about planning and zoning staff, I'm talking about staff at all levels that are involved in the code. Then I also want to thank opticos for work that they've done. Opticos was hired to look at the zoning section of the code and only the zoning section of the code. There are 12 other chapters of the code that opticos was not involved in. But anytime that we had a question of opticos, they would answer it, anytime we had a question of ecca northwest or fregonese, they were answered. We might not have liked all the answers we got, but nonetheless they were answers, and it was very appreciative. And I know that y'all see me a lot on zoning cases, rezoning cases, floodplain variances, conditional use permits, but I

[12:21:16 PM]

also have a business life outside of being in front of y'all, and that life is entailed with permitting site plans, subdivisions, variance requests on multiple projects, and we do a tremendous amount of permitting through our office. We're entrenched with those trouses. Codenext was to simplify the process, and to be clear, I'm not seeing that with codenext. I do want to see that somehow, some way. But that is not by any fault of the consultants. The consultants have brought forward a zoning code

which is actually a decent document. Zoning codes are actually not complex to understand. And it's important that you think about the zoning section of the code only because the zoning section of the code is not coupled with a criteria manual. Another thing about the administrative criteria manual, drainage criteria manual, transportation, utilities, water quality, environmental all those criteria manuals add to tremendous amounts of complexity in the code. So if you look at the 1600 pages of codenext, the estimated 2000 pages that are going to be coming on the you know yet seen criteria manuals, there's 3600 pages of code that's being dropped on us to digest. Opticos was responsible for about 600 pages out of 3600 pages that are going to be put upon us. I and my staff spent about 2800 hours working on codenext with no pay, trying to digest the code so we can have a better sense of the code, of what's going to be put in front of us. And one thing is for sure, is that we're going to be busy. We're going to be busy putting the needed housing on the corridors in Austin. And why am I doing this, why am I putting so much effort into this? I'm an original austinite. I see development that is still sitting on the corridors that was there when I was a child, and we have to unleash those properties so they can be redeveloped to get

[12:23:17 PM]

us the density that Austin needs so that we can have transit supported density on the corridors and we can make it a much better place for Austin. And I will continue to work forward with codenext as long as codenext is still around. I will continue to work with all of your offices, should any of you have any questions, I look forward to the dialogues that we will have in the future and that we've had in the past. And with that, I'm available if you have any questions. Please feel free to call my office. I want to help get codenext and to make it right. Thank you. >> Mayor Adler: Thank you. [Applause] >> Mayor Adler: Has anybody else signed up and I did not call them? Council, we're back up to the dais. It is 12:23. We said we were going to break at 12:30. Those were all the speakers we have. Do we want to come back after lunch so as to give people the opportunity to come back if they were looking at a schedule and didn't come back, or do you want to stop for the day? I would suggest possibly that we came back after lunch so as to give people that chance, and let's see if people come or not. Councilmember pool. >> Pool: That's fine with me, and then why don't we at some point, maybe if we're here for another hour or so after lunch, remind people that we will be doing this again on Saturday, and if they're not able to come downtown today, ask them if they'd like to come on Saturday, so that we -- we can have a -- some finality to the end of the meeting. >> Mayor, excuse me, I -- >> Mayor Adler: Come on, Mr. Peña. Come on down. Then we'll break for lunch at 12:30. We'll come back at 1:30 and then decide about the rest of the day.

[12:25:20 PM]

>> Tovo: But, mayor, when we come back, we'll take the speakers who are there and then probably conclude the meeting? >> Mayor Adler: That would be my -- >> Tovo: I just don't want people to think we may be here later in the afternoon if we don't have speakers. >> Mayor Adler: I think we're giving

people an hour to come down if they want to Mr. Pena, you have three minutes. >> Mayor and councilmembers, Gus peña. I grew up on east fifth street, industrialized area. So I can tell you the problems of not having proper usage of land code, et cetera. This is mind boggling to anybody even who has two college degrees. I want to thank you for allowing the public to come back today and another one also. I want to thank Greg and his staff also. I know they've been slam dunked for some things. They don't deserve that I see them. They don't even get paid overtime. I just want to make sure the community is afforded the opportunity to speak because let me tell you something, I don't have a master's, but, you know, it's mind boggling for her me, for me, and thought I knew all about this. Continuing the educate the community. I know every time I call Mr. Guernsey, he's there for me and he gives me information I need. And, mayor, councilmembers, I am president and co-powerpoint of veterans for progress. We are now 10,050. I appreciate you going to Johnson high school. If didn't you see yourself on television, what, I mean, came out first? Toby Rodriguez. My classmate at Johnson high school. I cried. My lost said, why are we crying? We lost him. But anyway, these are the people that I speak for that don't want to come here, and it's just not a good situation. Mayor and councilmembers, I know I've been tough on y'all, but I expected and the public expects what you were all elected to do, in and for the best interest of the public and the community. We have a lot of homeless people.


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Some of these codes are good. Some of it doesn't equate to what the situation is. So anyway, keep on trucking. Drink your vitamins and continue to March because this affects negatively and positively the community. And the most, the ones that are hurt most are the less fortunate. Less fortunate. Thank you very much. >> Mayor Adler: We have one more person, Amanda. You have three minutes. >> Hi, mayor and council. I promise to be out of here by 12:30. Thank you for letting me speak before the break. I am Amanda sworr. I want to take a quick minute to helped the planning commission for efforts they've taken to go through and look at the pieces piece by piece, and really work through the inconsistencies with the draft. And unfortunately, that I think what they've done is highlight how much work we still have to do to create a code that meets the framework of imagine Austin and create a code that is predictable, consistent, and free of conflicts. We're willing to keep working. But the best thing for the city of Austin is to take the time to come up with the right code, not just pass a code today. So I would just urge you to take the time that is necessary to come up with a code that really is the best thing for Austin going forward. Thank you. >> Mayor Adler: Thank you very much. It is 12:28. We have no further speakers signed up. We're going to recess and we'll be back out at 1:30. [Recess]


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>> All right. We have a quorum. We have some folks that have signed up to speak. I will bring us into session at 1:42. Dan keshet. And then on deck is Nancy crowder. >> I sent an e-mail that includes a blog post that I wrote a couple of days ago. Today, I'm here to ask that you include the planning commission recommendation on eliminationing required automobile parking in the university neighborhood overlay. In the uno district for west campus. There are a ton of reasons why this is really great, one of a kind neighborhood in Austin. West campus has a different composure. It is a different demographic that it is almost entirely students, especially in the buildings being built under uno. Almost all of the students attend ACC or Rio grande. Almost none of them use the car as a primary way of getting around. There are so many ways to get around from west campus to other places within Austin. There are so many. You can walk to UT, you can take the b-cycles are in west campus, the bird scooters are there. You can ride your own bike. There is the UT shuttle. There are so many ways to get around. Since I, you know, first started looking into this, I

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know I heard from some developers, some were at planning commission, couple before the code next stuff, talking about how they're undersubscribed, that they're building a lot of parking they're required to build and required also by the uno regulations to unbundle this, charge students, the students aren't buying it. It is sitting there unused. I think this is a fantastic thing to get done. About a thousand bedrooms are being built each year since the start of uno in west campus that is about each year a thousand more students from UT and ACC can get a bedroom right close to campus, to one of their campuses. It would just be so fantastic if we sent the message, yes, for you, for the next generation, if you want to get around without a car, we're not going to make you buy one. So I hope that you listen to that recommendation. Thank you. >> Mayor Adler: Hold on, your speaker is not on, your microphone. Hang on. >> Mayor, councilmembers, thank you for being here, listening to us today. You have got certainly a challenge on your hands. My name is Nancy krother, I am a member of adapt as my community involvement includes persons with disabilities and seniors. I have been here since 1980, I have seen a lot of changes. I have seen a lot of changes for the good. I went to the university because it was accessible. Not many universities were back in the '80s. I wanted to stay in Austin because it was more accessible than any other city's I have seen. I recall back in the '80s when

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Keaton Rylander, et cetera, the mayor at the time made our streets accessible for pedestrians, people with disabilities and for seniors. I have seen a lot of transition, I have been involved in mayor's committees, I have been involved on all kinds of efforts, and as you heard by me colleagues, we have given into the process. We really are the experts, when you ask us, yeah, we know the history. And we know what's right because we have seen it, we have built it, and it works. There are a lot of people

moving to Austin, yeah. But a lot of disabilities and are moving to Austin because of the accessibility. I have been to a lot of codenext meetings. I have asked a lot of questions about accessibility. I get that paternalistic oh, yeah, yeah, that's in there. You just can't find it in 1500 pages. I'm not an architect or builter, I am a member of this wonderful city. Whatever plans I hope we stand off and rectify the issues. Housing accessibility and affordability, I'm sorry, I cannot afford $300,000, if that is what affordability means to Austin. No, it doesn't. I have been in affordable homes and affordable subsidized living sincing I grew up here in Austin. Your own citizens, you have to be loved at home, you remember that saying? You got to be loved at home, think about the impact on citizens now and in the future. But don't forget the work

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that's been put into this. But I really would recommend that the affordability, the accessibility [beep] Be included. Thank you very much. >> Mayor Adler: Thank you. Is Earl steel here? You are up, sir. And on deck is John Woodley. >> Hello, I am burrel steel. And thank you for letting us be here councilmembers, but public hearing codenext, three things ffordability, accessibility in housing, sidewalk. Keep Austin accessible for all. Before I was here -- I came to Austin in 2007. I came in Waco in 2002. I was hot happy. I finally found a way to get out of that situation. Now I'm here. I've been looking for a job. That didn't happen, but I have other things. I found a group called adapt. Hopefully that will turn out right. But I mean, I don't have any issue. Because where I am staying at

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now is nice accessibility-wise, but I am -- I want to support the sidewalk, it is even though it is like 95%, but another 5%, we still got to deal with that. Keep Austin accessible for all. There has been a few places that I can't, you know climb the steps. I'm fortunate if I can't do one thing, I do another. Thank you. >> Mayor Adler: Thank you. Mr. Woodley, before you start speaking, on deck is Angelica razzo. All right. Mr. Woodley. You may begin, the words just didn't come across. >> Sorry there is a delay on the captioning. >> I saw. >> Hello, John Woodley. Councilmembers, mayor, city management. I'm an advocate for disability access. I will speak with regard to disability codes. I will speak quickly covering issues with time constraints. I believe three stories or less, then utilize stair cases. These can be seen at the site plan development level to combine buildings and cost needed to install to make all floors accessible.

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Parking spaces are a great need for people with disability to access housing and the numbers. It is the minimum required parking for accessible spaces and make the entities inaccessible. My mother for example, lived in a senior citizen community and they don't have enough parking spaces for residents,

residents with disabilities, guests with disabilities and caretakers for people with disabilities and 70% of seniors over 70 have a disability. Doctor facilities in the city of Austin has a current development land code that specifically state an entity for drive-thru facility but does not have walk November in service must provide safe convenient access for pedestrians. This is not enforceable nor being enforced from the site plan development code. I have recommendation from other boards and commissions to make -- and bicyclists and other alternate modes of transportation to utilize drive-thru facilities. For example, they may close the walk-in service but leave the drive-thru open, and a lot of people with disabilities don't very access to the services. Affordable housing is another issue in which we need to develop accessible housing with accessible transportation option. Many do not provide affordable housing for those with limited income. Such as disabilities or seniors on limited retirement. Less than $3,200 a month. The minimum guideline to qualify the affordable housing, you have to make

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three times the rent in order to qualify for the housing. And a lot of people that make less than $1,000 a month do not qualify for those housing. So that's another thing we need to do. If you have questions about these or other accessible issues, please contact me. My e-mail is johnmwoodley@gmail.com. Thank you. >> Mayor Adler: Thank you, sir. And then on deck will be Natasha Harper Madison. Is Natasha here? Ok. Please. >> Hello, thank you, mayor, council, for listening to my concerns. My name is Angelica, I tried to brief myself into the code, despite attending several codenext meetings. I remain neutral. I would like start off by saying the people on the east side have been done a disservice from imagine Austin. We still see most of the development is done on the east side in draft three, it isn't fair our people were taken advantage in such a manner in imagine Austin. Certain areas that concern me are footerable housing for students in the 40% bracket. Demolition for apartments, not keeping up, erosion control and parking. I am a graduate from [indiscernible] I mentor at ACC and concordia. There is overpolicing on the Riverside where most reside and apartment compliance. A lot of the apartments have bad ventilation systems which enhance or cause asthma, sometimes it takes three weeks or longer to receive assistance on the maintenance requests of the housing. The Morton ranch, there is infestation of cockroaches, the staff go into your

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apartments without permission and there is trash everywhere. This story conicides with hundreds of students. This students working two to three jobs. First generation, being in school full-time that wouldn't be able to pay $25 a year for parking rec permission. This encourages people to pack them in, building higher density. There are tool kits, there are people with weird living situations because of affordability. A student that lives with her abusive boyfriend because she can't afford to move out. They both drive certain cars. How does that work out with parking rents, where they allow one parking per apartment. I don't think parking reps upon help those with disabilities. We have heard from people with disabilities. The city and new code are not friendly to disability. Think about the pregnant mom with two

children to take out of the back of the car, put money in the meter, getting a ticket, living paycheck to paycheck. These are stories. These people don't go to neighborhood alleges actions or city hall because they have to provide for the families. I think codenext has significant improvements to utilize. Down to 30 seconds. Instead of 10 years, look for 30 or 40 years, or restricted homes. I would encourage the city to invest in a nonprofit or create a resources center to vulnerable communities to not sell their home to flipper, utilize the homestead exemption and understanding wealth in equity in property value. People are moving in, we can teach families how to protect themselves from being targeted. Thank you. [Beep]. >> Mayor Adler: Thank you. >> Mayor Adler: Thank you. I think we've already called Mr. Steele. Dennis oxford.

[1:58:56 PM]

Is Dennis oxford here? You'll be up next. Three minutes. >> I'd like to start by saying to preempt any implication that what I am about to present is incongruent with it being relevant to the code, ultimately it is all about our land use. All of these things are affected. So access to housing and education are the cornerstone of a strong community. While our city has invested in these areas we've got tapped into the innovation to find new and effective ways to address them. We deserve smart investments to bring about real change. Strategic approaches to considerate and responsible land use in the short and long-term protect the vitality of our community. Workforce housing, cooperative housing, and increased affordable housing in the city's center are paramount. Exploration of innovative workforce development solutions with expanded efforts around private and public partnerships are also paramount. I think Angelica made reference to one thing being a tool, but singular tool in the kit. Set up children for success and working families to thrive. Lack of access to affordable, healthy food is a critical issue facing our community that impaction health and quality of life. Travis county residents experience food and security with children being the most affected, obesity, cardiovascular disease affect people of color and in poverty 3. 1% of those in poverty have no insurance, which leads to absences of preventative screenings and treatment, as well as specialty care. If you need specialist, endocrinologist, oncologist, rheumatologist, you know, it's difficult to get access and so frequently this is difficult because people can't afford to live. Part of that has to do with their

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lack of affordability with housing. Austin needs to support effective options to address food insecurity, housing insecurity, workforce development, lack, rather, thereof, of workforce development and access to basic literacy tools, financial literacy, digital literacy, things people need in order to thrive, as well as urban food production, non-traditional markets, farm stands and expanded food distribution programs. I'd like to close by giving you guys a story. I work with the east 12th street community almost circle. And there's two families. One family, this young lady gets up every day, 5:00 A.M. Three kids. Two needs to go to school, one to day careful. She drops the day care kid off, takes the other two to school, takes herself to her first job. Then she gets off her first job, retrieves the two kids from school, takes them to

the day care, goes to her second job. She does all this by way of bus. Transportation is the thing I didn't mention in the beginning but that's also a major impact for the a lot of the citizens I'm working with thank you for your time. >> Mayor Adler: Thank you. Is Scott Johnson here? You'll be up next. Three minutes. >> I'm Dennis oxford. I'm here for two reasons. One of them is beautiful self-I and the other is to get my view on codenext. First I was very excited about codenext because they had things called transition Zones. I live in a transition zone and I thought, well, this is a great opportunity for me to up my zoning. And then I discovered that the transition Zones kind of went away. I live at 6819 Daughtery. My backyard is part of a three-story diagram, and my front yard is allandale so that's quite a diversity there. I would ask the council to up my zoning at

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6819 Daughtery from rsa to ms1b. That would be a smooth transition from the commercial on burnet to allandale. Second is to voice my opinion on codenext. For me, the Frankenstein approach works with Austin is not like Houston on the salt plains of Texas. It's not like Dallas on the great plains. The west border of Austin is in the hill country, and the east border of Austin is on the Houston clay out near manor. The topography is so different, that affects everything, the runoff of the water, that affects how the water is purified, that affects the lot size, that affects the best building tracts. Affects everything. So one code just is not going to cut it, as far as I'm concerned. I've spoken to council woman pool. I'm in her district. She's heard me whine about this before. An example of something that seems to work really well that would be an alternative to codenext was the vertical multiuse zoning up and down burnet. It was put in locally. It had local input, it was implemented locally and it's worked well. They have vertical multiple use locations up and down burnet. I think a bit by bit approach would work because Austin is a different kind of area altogether. I know we have an authenticity for consultants here. I think a local group -- I'll be happy to put you all in the back of my wife's pickup truck and show you the mountains out there and plains over in east Austin, and I'll just charge you a fraction of what these other consultants have charged. With that, I'm going to conclude. Thank y'all very much for hearing my opinions. Y'all have a good day. >> Mayor Adler: Thank you. Is Michael Simmons here? You'll be at this dais.

[2:04:58 PM]

Go ahead. >> Mayor, council, Mr. Pentallion, trees are the lawns of the world. [Speaking Spanish] And they do a great job at stormwater management. And we love them, but the progress from the '80s forward has been uneven and this code may be able to address some of the challenges that we have. Key the first slide, please. The document. What we know is that in this code revision, the removal of heritage trees is a priority for us -- removal of heritage trees is a challenge. The priority is to try to save them, and one of the changes that's been made in recent months has been one where the reasonable use clause has allowed heritage trees to be taken in the first quarter and the second quarter of this year to that level. Secondly, the codenext addendum language on trees has changed -- when I say the

reasonable use clause, that is not necessarily something that's changed. Addendum language has changed and the subtleties there are ones that go as such. So the -- previously, there was a clause that a preconstruction meeting had to be held to verify that a regulated tree needed to be cut to build. That clause apparently is gone so the trees -- or it can't be found. The trees can be cut on lots and lots sold. Functions are delegated to department, which could impact trees. We should be looking closely at these and find out if any of the recommendations made by the land use commissions are supporting these or any recommendations that have been made by the environmental commission which was consolidated when the tree -- the urban for city board was consolidated

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with the environmental commission some years back. I'm concerned about this issue. I'm also concerned about another issue. Please queue the photographs. Another issue not related to trees is this idea that we have -- we have rules and regs that pertain to telecommunication towers and the arrays that are on them, but what we don't have is when there's an existing antenna array on a telecommunications tower and there's no buildings there, no build out, there is no set back requirement. There's one for single-family, there's one for multifamily, there's one for commercial, but if you look at this, which is a picture of a building that's near 28th and Guadalupe street, that antenna array existed prior to the construction of the building. There's one on south Lamar as well, just before the Saxon pub in district 5, that is even closer to the structure than this one here. I would encourage the council and staff to review this issue because there may be an opportunity for setbacks. -Million-dollar midfield S set-million-dollar backs >> Alter: Excuse me, Mr. Johnson, can you send information on the tree ordinances on which parts of the code that concern to you my office, please? >> I can. Yes. >> Alter: Thank you. >> Good afternoon. >> Mayor Adler: Then on deck is Adam. Sir, three minutes. >> My name is Michael Simmons. I'm a recent graduate of the community and regional planning program at the university of Texas. Given the history of racism and segregation in Austin, I urge you to only accept a code that will encourage integration. Listen to the people who have experienced segregation and racism in this city. Prioritize the concerns of neighborhoods like montopolis. Prioritize the wealth

[2:08:59 PM]

creation for people actively prevented from owning homes in the past. Finally, adopt the resolutions associated with the people's plan. Thank you for your time. >> Mayor Adler: Thank you. Is ashcan jahonkery here? You'll be at this program. Mr. Khan, three minutes. >> Thanks. Adam khan, testifying neutrally about codenext. Fortunately, as I've been looking at this process the last few weeks and the last few months, I'm coming to a point where I'm being pretty disappointed with the whole thing. Now, I want to be very, very clear. I think everyone knows this. I've always supported the goals of codenext. I think codenext offered a unique opportunity to lower housing costs, improve our transportation situation, and do so in a way that's consistent with our environmental goals. Unfortunately, it doesn't really look like that's happening, and I am pessimistic that the process is going to fundamentally change

in any way at this point. In its current design, codenext is essentially a bad policy wrapped in an even worse process, and frankly, I'm disgusted by the whole thing. On the policy front, draft 3 and everything we've seen up to this point basically just entrenches the current code with slightly different language. It's not really fundamentally changing anything. So seems like we're going through a whole rigmarole on this without actually doing anything. In addition to that, I think that there are possible concerns that may creep in later in this process, as related to micromanaging work conditions and wage and benefit mandates, and obviously those would be extremely troubling. But beyond that, in terms of

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the process, that stunt you guys pulled last Thursday, you should be ashamed. That was an appallingly lawless act. The state statute is crystal clear. This is the initial adoption of a zoning ordinance. It -- state law on this topic could not be more clear. And, honestly, I mean, the six of you who voted the way you did on this petition campaign should be criminally prosecuted. But that will obviously never happen in this county. So we'll see what happens. We'll see where this process goes. We've got a few more months on this, but I'm extremely pessimistic about it, and I'm just disappointed in the entire thing. Thank you. >> Mayor Adler: Is Kelly Davis here? You'll be at this podium. >> Hi. [Inaudible]. I work for farm and city, 501(c)(3) Dedicated to high quality urban and rural habitat in Texas in perpetuity. On the council forum, discussing all the various aspects of codenext that could be brought up, mayor Adler noted no suggestions had been made for the environmental impact, specifically conserving the environment, that sort of thing. And I just want to highlight that codenext is a huge player into how the city of Austin can meet its goals, its environmental goals, specifically how it can meet the Paris climate accordance. To the extent that we allow for compact connected development housing within the city, we will be a sustainable city. So two kind of policy points to touch on is that campo's regional growth forecast, for example, is based on trends and available input such as the city's land code. And so campo currently projects that over the next 25 years, 650 square miles of what is currently rural area will be paved over to become suburban and urban environments, and this is an

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environmental catastrophe, 650 square miles is more than twice the size of the city of Austin. And we can prevent that if we allow that much more housing and so on to be built within city limits. As far as impervious surface per capita, this is from the city itself. The watershed department's analysis shows that in the areas of Austin with the highest density of people and jobs, this is where we have the lowest amount of impervious surface per capita. I believe the difference is around a thousand-square-foot per person within the various districts. And that's -- codenext really is a big environmental issue and I would like for it to be approached with that angle because I think it's really important. Thank you. >> Mayor Adler: Thank you. >> Good afternoon. Kelly [indiscernible] District 5 resident speaking for myself. A big part of the codenext debate has been whether density will increase affordability by maximizing the number of units and employing the supply/demand model from economics to say that more units will

lead to a lower price, and I just wanted to give some -- an economic perspective on that model applying to real estate markets. I'm not an economist, but I'm a lawyer, but economics was my first love. The theory that increasing supply leads to lower surprises makes an assumption that several idealizing conditions are in place. And in reality, there is -- this doesn't exist in real life. It's what economists caw a economists call aperfect market. Real estate is one of the

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most imperfect markets. That is because -- I will go through some of these conditions. I won't have time to explain them all, but you'll probably recognize why real estate does not fit into these. A large number of buyers and sellers, perfect information, all consumers and producers know all prices of products at all times. Homogeneous products, this is a big one, this would mean that the products are perfect substitutes for each other, and we know that's not the case with houses. Well-defined property rights, this comes into play with deed issues and not -- not being sure exactly who owns a piece of property that's been pad down for several generations. No barriers to entry or exit. Every participant is a price-taker, which means that no participant has the market power to set prices. There would be perfect factor mobility. This means that all of the -- and you felt inputs into houses would always all be available. Land, labor, and raw materials would never run out. Profit maximummization of sellers, rational enticer, that means bears just making a utilitarian decision with no emotion in it. Externalities, costs or benefits do not affect third parties. We know that's not the case. When a redevelopment of a property -- [buzzer sounds] -- >> Mayor Adler: You can finish your thought. >> There's a couple more, but I'll just say this. Increasing density in the

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urban core will definitely cause displacement and adversely affect the cohesion of neighborhoods, but it would only, in a theoretical vacuum, benefit the price, lower the price. >> Mayor Adler: Thank you. >> Pool: Mayor, I have a question. >> Mayor Adler: Yes, councilmember pool. >> Pool: Thanks, Ms. Davis, for that assessment. Would you say that the question of more dense housing would push down prices so maybe would you agree that downtown should be the cheapest place to live? Seeing as how it is the most dense, as far as housing? >> I suppose so, within the theoretical model. >> Pool: Right. That -- right. The theoretical model, which was not the one that you were describing. You were describing a situation with all kinds of other impacts -- >> Right. I was -- a real world market. >> Pool: Right. Right. Thank you. That's pint that I think some was have been laboring to make, which is, if, in fact, more densely packed housing were to produce cheaper housing by-square-foot, then downtown should be one of the cheaper places to live in town, and it's actually the opposite. Thanks. >> Mayor Adler: Thank you. Is Scott turner here? >> Good afternoon, mayor and council. I really just want to come up here and thank the planning commission for the job they have done to get us to where we are today. They were given a daunting task of a code that got larger and larger as time went on, and we're faced with just a lack of time to

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try and get through all that. And they really put in as you all know, a lot of long hours to try and accomplish their goal. But one of the sections that they didn't get to, or the majority of the sections, were the non-zoning sections of the code. I know you've heard some about that today already, and I'm not here to go into detail there, other than to say that the -- one of the primary goals of codenext is to simplify the code. And that is the non-zoning sections. The criteria manuals are just as important to unit yield as the zoning itself. They have to work together in order to effectively meet the city's housing needs, which is another goal of codenext. And I do want to mention a section that didn't get enough attention at planning commission, that's the affordable housing bonus program. At a stakeholder meeting about a week ago, a large group of stakeholders pointed out some flaws in some of the modeling that they were using and some of the other structural issues in that section that really need to be addressed in order for it to work, because, really, one of the recommendations P.C. Did make is to include the bonuses as a core part of our zoning pattern, moving forward, in order to generate affordable housing in all neighborhoods. So it's important that the affordable housing bonus program work. We need to set participation targets to make sure it's working because one thing that I've learned as a part of going through this process as a volunteer is that the affordable housing section is littered with codes and programs that very few people participate in. So if we're going to go through and get a zoning and a non-zoning section that work together, it needs to start with the affordable housing bonus program. Thank you. >> Mayor Adler: Thank you. Is there anyone else here that has signed up to speak? Council, that gets us back to the -- to the dais. We have to figure out what we're going to do the rest of the day.


[2:21:03 PM]


So when we sent out the notice to the public and formally set this meeting, we set a start time, but we did not indicate a stop time. But the clerk, consistent with the conversations that we've had, and in an effort to help the public, had a form that was handed out to people that indicated that the may 29th public hearing is scheduled toned to endat 10:00 P.M. I think the intent is to indicate we would not go past 10:00 P.M., but it said it would schedule toned at to end at 10:00 P.M. Consistent with the resolution we passed, if someone wasn't able to speak, they could speak then or brought back on Saturday, but it did have that. It also said that Spanish interpreters would be available during the following hours, and it indicated the Spanish interpreters would be available Tuesday, may 29th, from 4:00 P.M. To 8:00 P.M. So -- and also on Saturday from 10:00 A.M. To 2:00 P.M. I think that it is possible that someone could be planning on coming at 4 o'clock to speak. My suggestion would be that we come back at 4 o'clock in case someone came back, unless we were going to tell folks that those interpreters would also be available on Saturday. But I wanted to make you aware of this information sheet that had been handed out to people. We're not under any kind of legal notice requirement to continue this

hearing, so it's not a legal issue. It's more just a practical or representational issue. What is the pleasure of the dais?

[2:23:05 PM]

>> Houston: Mayor? >> Mayor Adler: Ms. Houston? >> Houston: Do you anticipate people coming in from 4:00 to 8:00? >> Mayor Adler: I don't -- I don't -- I don't know who will be coming in. >> Houston: But that was kind of noticed, that there would be interpreters here from 4:00 to 8:00. >> Mayor Adler: Yes. People were also told that if they wanted interpreters outside of those hours, there was a phone number for them to call, and then interpreters could also be available outside of those hours. And no one called to arrange times outside of those hours. >> Houston: Okay. >> Mayor Adler: They were requested to call by the 27th. >> Houston: And there will also be interpreters on Saturday? >> Mayor Adler: There will be interpreters Saturday. It says beginning at 10 o'clock, and also says going till 2:00 P.M. >> Houston: So Saturday we go from 10:00 till 2:00. >> Mayor Adler: On Saturday, I don't know that we -- again, I don't think we've set a -- >> Houston: Ending date. >> Mayor Adler: -- Stop time in the notice, and the notice that was sent out said that the June public hearing -- let me see here -- adjourn at 10 -- we had a resolution that we had passed that said that we wouldn't go past 10 and we wouldn't go past 6 P.M. On Saturday. But, again, the notice that went out didn't have a stop date. The information sheet that was handed out I don't think speaks to the closing time on Saturday. I mean the stop sign on Saturday. On Saturday, there is no time where there's a scheduled stop date on Saturday in the information that was handed out, or in the notice that was sent out

[2:25:05 PM]

to the community. The resolution we passed a couple months ago said it wouldn't go past 6:00. Mr. Casar. >> Casar: Mayor, I'd be fine with coming down here at 4:00, and if there was nobody here, just closing the meeting at that point. But I leave it up to the dais. I would be fine because I expected to schedule myself at least through the early evening. >> Mayor Adler: Okay. >> Casar: But if the will is to close out now, I have no qualms with closing out now, I'm just stating that I'd be willing to come back at 4:00 because I expect we won't have many people at that time. >> Mayor Adler: Councilmember kitchen? >> Kitchen: Yeah, I don't think that we can close it out now because of the notice that we sent. We don't know if anyone is going to try to show up at 4:00 thinking that that's the time there will be interpreters, and it would just be totally inappropriate for us not to be here if that's what we -- if that's what we said. So I'm prepared to come back at 4:00, or there may be some way to let us know if we need to come back at 4:00. But I don't think we cannot be here if someone makes the effort to come down here at 4:00, when we said that's when we would have interpreters available. >> Mayor Adler: That's an hour and a half from now. Do we want to just come back at 4 o'clock? Okay. There seem to be nods on the dais so I'm going to recess till 4:00. But before we do that, just to send us off in a really good mood today, we actually have a birthday on the dais this week. His birthday is Thursday, but we won't be meeting on Thursday. Let's all sing happy birthed to Pio. >> Renteria: I thought I was going to get

away with it. >> Mayor Adler: Really? You know, we ought to do the singing when Jimmy is here because Jimmy actually sings. I don't know if you all knew that, but he's like really,

[2:27:07 PM]

really good. >> Kitchen: Well, we should do it -- >> Mayor Adler: Oh, let the singers -- [laughter] [ ♪ Singing "Happy birthday"

♪♪] [Applause] >> Mayor Adler: It's the live music capital of the world. We bring music in every one of our meetings. >> Houston: And it was so helpful that the audience was trying to help you, too, mayor so -- >> Mayor Adler: Really? Good. All right. It is 2:28. We're recessed until 4 o'clock with the anticipation that we'll take the speakers who are here at 4:00 and then probably adjourn for the day.

[4:11:17 PM]

>> Mayor Adler: All right. We have a quorum. It is 4:11. We are back out. I'm not showing anyone else has signed up to speak. We had talked earlier about coming back out if there were other speakers, then adjourning the meeting. We had indicated that we'd have a translator here beginning at 4:00. We're here. That service is available. We had said 4:00 till 8:00. But certainly anybody who isn't able to speak today has the ability to be able to speak on Saturday. Does anybody want to extend past where we are now? >> Alter: I just wanted to clarify legal's advice on this, that because of the posting, there's no -- I just want to confirm that there's no statutory reason -- maybe statutory is not the right word, but there's no legal reason that we would need to stay with no one here. >> I can confirm that, that the law department is comfortable that you can adjourn the meeting and close the public hearing today and then we'll take it up again on Saturday. >> Alter: Okay. Thank you. >> Mayor Adler: Okay? Any other questions? Then I'm going to go ahead and adjourn this meeting. I'll remind everyone that we're meeting here on Saturday, beginning at 10:00. You can sign up to speak 60 minutes prior to that time. We -- to colleagues on the council, I think it would be helpful if everybody went onto the message board and see the postings, see if there are additional topics or questions to be assigned to topics to help focus those conversations. Maybe on Saturday we can talk a

[4:13:19 PM]

little bit about that, but certainly on Tuesday, the 5th, when we're together, we'll finalize how we're going to approach that. And with that said, I close the public hearing for today and I adjourn the meeting.