

Karen McGraw Architect PLLC

4315 Avenue C
Austin, Texas 78751
512-459-2261 cell 512-917-1761

Why Current Codes Are Necessary for Quality of Life in Central Austin

Over the last 35 years, many of the intrusive type of developments that are incompatible with residences, have taken advantage of loopholes in the zoning code. Dispensing with all of these in the interest of affordable housing will result in damage to both property investments and quality of Life for current and future homeowners and residents.

This is a brief history that describes some of the cases that resulted in rules that have worked well in keeping the central city livable. Keep in mind that once an intrusive development is constructed, it will remain for decades even if regulations are changed to prevent additional such developments.

Super Duplexes - many addresses

3500 Duval, 4707E. 47th ST., 4517 Speedway, 4500 Avenue C

Years earlier, the LDC had a definition that noted that a "duplex" is two dwelling units in a single building. In 2003, when a large duplex was permitted on Hampton St. that clearly had at least 8 bedrooms - many of which could be divided into 2 rooms - the neighbors filed for an interpretation at the Board of Adjustment contesting the occupancy limits. The board ruled that the code never intended more than 6 unrelated adults per SITE. This prevented future 12-occupant duplexes but note that those already constructed will be with us for decades!

Later the City Council enacted revised occupancy laws allowing only 6 per site and even further restricted to 4 per site.

Some single family residents and homeowners near the 12 bedroom developments have sold their homes and relocated.

Lesson: Once constructed developments become grandfathered and will not be corrected to a more well-thought regulation.



SF3 use built to MF3 standards!

3408-3410 Speedway - the Beach Houses - these "duplexes" were built on Multi-Family zoned land in order to utilize the more lenient MF regulations (more impervious cover, height, reduced setbacks, no site plan exemption etc..) These huge buildings on stilts over parking for numerous occupants continue to disrupt the character and livability for nearby residents.

In 2002, Hyde Park in establishing an NCCD included a provision that any single-family use had to utilize single family zoning regulations, understanding that old MF zoning could support even more of these "Beach House" type developments! Subsequently the city established a similar citywide ordinance. While new ones were not created, the Beach Houses are a daily reminder of damaging interpretations that will forever haunt central Austin!

The Casar proposal brings back these type of buildings and even loosen restrictions further.



By eliminating the **McMansion Ordinance**, which essentially ensures compatibility between single family developments, the big box is back on any single family lot. Not only does this eliminate the tent and FAR regulations, but brings back the 35' box 5' from the next home and allows unlimited floor area as long as it fits into the height and impervious cover.

By multiplying the height up to 1.5 of 35, even on a single family lot the 35' height becomes 52.5' on a block that currently has single family zoning and likely McMansion regulations. This can happen on a wall straight up at 5' from an adjacent home.

Folks say "well no one would be able to finance such a project so its likely that not many of these will occur . . . (and according to one staffer) if it does we can fix the ordinance then".

Lesson: Folks on this block will be incredibly angry, likely try to sell and relocate, and (as noted by one ZAP commissioner) learn to hate affordable housing!

So I ask you, if this is not likely to produce many affordable units, why would we remove all residential protections and propose to allow greatly relaxed codes for affordable housing? Unless we just remove most zoning regulations, adjacent residents will not enjoy the same rights. In a Board of Adjustment variance, would they have a case to state this?

AND THEN THERE'S PARKING. . . .

By eliminating parking for multi-bedroom developments, the city is setting up a situation of congestion in neighborhoods. Claiming that the occupants will not own cars is ludicrous. Almost everyone has a car today. Maybe in some far future this will change, but even folks who use transit to get to work, still maintain cars for other trips. Congesting streets in this way, again threatens quality of life for those folks who choose to live in a single family home. Most of us will at some point want to live in a single family neighborhood even if at other times of our lives we choose other options. To claim that folks should not live in single family homes, simply says that we will no longer allow single units. What does this do to the market? Will all lots immediately become much more valuable? This will mean much higher taxes for families and push them to relocate to the suburbs where other jurisdictions do not hate families. This sounds like Austin will choose to become a home for single adults and seniors - but the families will flee.