

**Proposed URPlan / 11th Street NCCD Modifications
Public Comment Log and Responses**

September 13, 2019

<u>Date of Comment</u>	<u>Name</u>	<u>Statement/Request</u>	<u>Response</u>
Comments from Urban Renewal Board Meeting June 17, 2019			
	Tracey Witte/OCEAN	Be clear about what the original text and amendments to the Urban Renewal Plan and what they intended and how Austin's adoption of a new Land Development Code intersects with URP	Agreed
	Tracey Witte/OCEAN	When we include the term NCCD in the definition section and say that the "NCCDs for East 11th and 12th Streets put in place the zoning to implement the development controls of Urban Renewal Plan" what will that mean if Council carries forward NCCDs in the new code but lays over them density bonuses and other regulatory mechanisms that fundamentally alter the scale and intensity of what is allowed to be built?	We are waiting for a determination from City Law.
	Tracey Witte/OCEAN	<p>The current draft states all definitions would be deleted if it is determined they are not defined in the LDC and that where the URP is silent the LDC shall control.</p> <ul style="list-style-type: none"> • If we preemptively silence the URP by not permitting the document to define its own terms or deleting its own terms because the terms are not defined in the LDC we may weaken the URP. • What is staffs thinking regarding the changes made to definition section, review and approve exterior alterations to houses converted to offices/retail, striking the board's latitude to grant waivers from redevelopment project controls? 	Will need to discuss further.

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	Tracey Witte/OCEAN	Concerning to O.C.E.A.N. are terms such as: <ul style="list-style-type: none"> • Prohibited Uses – which omit several uses expressly prohibited in East 12th Street NCCD • Low density apartments might be better replaced with number of units per acre that are permitted • What does Compatibility standards are waived mean? – Compatibility also includes where dumpsters can be placed and the placement of reflective glass in close proximity to homes. In 2005, did Council mean to waive all compatibility standards or just some of them? 	Will need to discuss further.
	Tracey Witte/OCEAN	Recommends adding priorities that have taken the back seat in the past, i.e. Kenny Dorham’s backyard, IQ Hurdle House, East 11th and 12th Street historic assets called out in East Austin Historic Survey, and Marshall Apartments	Will need to discuss further.
	Tracey Witte/OCEAN	Create an Appendix for the matrix devised used to measure progress towards implementation as well as the annual analysis	Will need to discuss further.
	Tracey Witte/OCEAN	Recommends focusing on a section or 2 at each meeting and thoroughly review them, this would make it more manageable for the public as well as the Urban Renewal Board.	Agreed
	Eric Standridge, lives in Robertson Hill	<ul style="list-style-type: none"> • Key to accompany redlines, underline/colors/highlights in various colors 	Agreed
	Eric Standridge, lives in Robertson Hill	<ul style="list-style-type: none"> • Include updated images of the URPlan and projects, successes and failures 	Agreed
	Eric Standridge, lives in Robertson Hill	<ul style="list-style-type: none"> • Image of the area, much better technology today 	Agreed

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	Urban Renewal Board, Chair Ellis	Agrees with O.C.E.A.N's recommendation to break the discussion of the proposed Urban Renewal Plan modifications into sections so we can have concrete discussions. At next meeting, recommends discussing definitions and then break the remainder up into sections to discuss at the next 2-3 meetings.	
Comments from Urban Renewal Board Meeting July 15, 2019			
	Tracy Witte/OCEAN	Requested that staff to identify all definitions proposed for deletion, encourage to retain all definitions that are substantively addresses the implementation of vision for E 11th and 12th Street. Ensure the definitions are not rewritten or removed to silence the Urban Renewal Plan. Ensure definitions support the flexibility and the authority of the Urban Renewal Board to oversee a project for compliance with the plan.	
	Tracy Witte/OCEAN	Specific Definition Recommendations:	
	Tracy Witte/OCEAN	<ul style="list-style-type: none"> • Land Development Code – Does this ensure 100% that Title 25 City Code will apply to the Urban Renewal Plan going forward even after the new code is adopted? 	Yes, that is our understanding, since the LDC rewrite staff recommends not changing existing NCCD's (See CodeNEXT comparison mapping)
	Tracy Witte/OCEAN	<ul style="list-style-type: none"> • Encourage make sure any amendments or items the Board approves doesn't inadvertently silence the Urban Renewal Plan's control or vision 	Understood
	Tracy Witte/OCEAN	<ul style="list-style-type: none"> • Mixed-Use – Staff is proposing to strike the part of mixed-use that says where a building that provides for a combination of uses. Retain the combination of uses for retail and offices on the ground floor for buildings that are over 2,000 square feet on E 12th Street and over a single story on E 11th Street. The definition seems to begin with the carve out for smaller buildings on E 11th and 12th Street that wasn't meant not to burden them with the requirements for mixed-use. This language is to prevent single use office buildings. 	Need to discuss further to better understand the concerns. Will discuss with the team leading the current Code rewrite.

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	Tracy Witte/OCEAN	<ul style="list-style-type: none"> • NCCD Definition- Staffs proposed NCCD definition is different from the one currently in Title 25. Protects unique neighborhoods as opposed to referencing certain kinds of neighborhoods with distinctive architecture style. What is rationale for the proposed language? 	Need to discuss with the team leading the current Code rewrite.
	Tracy Witte/OCEAN	<ul style="list-style-type: none"> • Prohibited Uses – Staff's proposed definition does not seem to be in alignment with the E 12th Street NCCD prohibited uses. 	Need to discuss further to better understand the concerns.
	Tracy Witte/OCEAN	<ul style="list-style-type: none"> • Residential Scale – Suggest changing the wording to say, of existing residential buildings that are adjacent to or across the street or alley from the new development. To include the houses that are all along behind E 12th Street, along the alley, when you are thinking about the scale and historic character. 	Need to discuss further to better understand the concerns.
	Tracy Witte/OCEAN	<ul style="list-style-type: none"> • Compatibility – Suggest adding a compatibility definition that states, compatibility means the suite of protections afforded by Title 25 of the LDC except for height, setbacks and provisions governing exterior lighting, parking garages, and fencing. 	This is something we can ensure happens within the development standards of the revised East 11th Street NCCD.
	Tracy Witte/OCEAN	<p>How might overlays included in the new code such as density bonuses function/interact in relation to the NCCD's and the Urban Renewal Plan development controls?</p>	<p>Law's explanation: When there is conflict between the Urban Renewal Plan (URP) and the applicable land use regulations or the development bonuses offered by Affordability Unlocked (AU), the URP controls.</p> <p>If the URP expires and there is a conflict between the NCCD and the development bonuses offered by AU, the development bonuses supersede the NCCD.</p>
Comments from Urban Renewal Board Meeting August 19, 2019			

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	Tracy Witte/OCEAN	<ul style="list-style-type: none">• Requested the Board postpone any action on this item until the City of Austin releases the draft rewrite to the Land Development Code on October 4, 2019.• After October 4, 2019, have appropriate staff provide a full briefing on the proposed Land Development Code rewrite.• Recommends keeping the following definitions:<ul style="list-style-type: none">o Mixed-Useo NCCDo Community Parking (add clarity to definition)• Ensure prohibited uses from 12th Street NCCD are the same• Add definition for 23 units per acre (garden apartments)• Under “house-like” studios, clarify kiln.	Further discussion will occur at the Urban Renewal Board meeting on September 16, 2019.